

**VILLAGE OF GREENHILLS  
REGULAR COUNCIL MEETING  
APRIL 28, 2015  
MINUTES**

A meeting of the Council of the Village of Greenhills was called to order on Tuesday, April 28, 2015 at 7:00 p.m. by Mayor David Moore. Present were: Mayor Moore, and Messrs. Glenn Drees, Jeff Halter, Jack Lee and Ms. Melanie Brokaw and Maria Waltherr. Also present were: Municipal Manager Evonne Kovach, Law Director Jeff Forbes and Clerk of Council Kathy Lives.

Without objection, Councilman Greg Hermes was excused due to a prior commitment.

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

A prayer was led by Ms. Waltherr after which the Pledge of Allegiance to the Flag of the United States of America was recited.

**APPROVAL OF MINUTES:** Minutes of the March 24, 2015 regular Council meeting and the April 14, 2015 meeting/work session were approved as submitted.

**RESIDENTS TO ADDRESS COUNCIL**

Mr. Mick Brown, 30 Dayspring Terrace, expressed concern regarding the Winton Woods School District levy on the May 5, 2015 ballot. He questioned the sign across Winton Road regarding the Winton Woods High School music accomplishments and suggested this sign could be interpreted as an endorsement for the school levy. Mr. Brown requested removal of the sign.

Mr. Halter clarified the sign is to commend the music education accomplishments and that there is nothing in the wording that is political.

Mr. Thad Willard, 27 Damon Road, referenced his previously proposed amendments to the Sign Code and expressed concern about the verbiage in the current Sign Code. He then encouraged the suggested revisions apply to all signs in the Village Center.

Mr. Lee indicated this matter is being referred to the Planning Commission for review and consideration.

Mr. Anthony Schuler, 20 Ashby Street, called attention to the minutes approved earlier in the meeting and stated Council member excuses were not handled properly. He respectfully requested that all Council member excuses be handled by a motion, seconded and a vote taken.

## **REPORTS OF VILLAGE OFFICIALS**

### **Municipal Manager – Evonne Kovach**

#### **Public Records Requests**

- January 17, 2015 – Request from Diana Koller for 2014 finance reports (all revenues and expenses) sorted by account and vendor.
- January 17, 2015 – Request from Diana Koller for copies of all records relating to Greenbelt violations or inquires, including the Joywood violation and any others.
- January 20, 2015 – Request from Diana Koller for all documentation and notes dealing with the electric service which was installed out to the concrete pad (in the Greenbelt) at 21 Joywood. This includes permit applications, letters, notes, correspondence, permits, violation notices, inspections, etc.
- February 21, 2015 – Request from Joseph Packwood for all documents, electronic or otherwise, for the following: any and all investment advisory contracts in place between the Village of Greenhills and any investment management, investment advisory firm or any firm acting in a discretionary or non-discretionary manner in assisting the village with its investments, cash flow planning and/or investment policies; any and all invoices detailing the expenses associated with investment related expenses; the most recent investment report and/or presentation which was prepared and provided by any external investment management firm, including but not limited to, monthly statements, periodic presentations and/or daily communications; if no external firm is under contract a copy of the village's most recent report detailing investments and cash balances; any and all documents that were compiled, reviewed, and/or presented during the most recent Request for Proposal in the hiring process of the investment management firm(s), if any exist; the most recent STAR Ohio periodic report or simply acknowledge participation or not; the most recent STAR Plus periodic report or simply acknowledge participation or not; the most recent CDARS Program periodic report or simply acknowledge participation or not.
- March 22, 2015 – Request from Pat Andwan for all contracts of sale for 30 Chalmers Lane, 26 Chalmers Lane, 9 Chalmers Lane and 3 Dewitt Street; all Hamilton County Board of Revision complaints in their entirety in 2015 regarding reducing the assessed valuations on the following Nationally Registered Historic District properties, 26 to 35 Chalmers Lane, 24, 26, 28, 30 Cromwell Road, 32 Cromwell Road, and 48 Cromwell Road.
- March 23, 2015 – Request from Teri Treinen for completed sales contracts for the sales of 14-16-18-20 Chalmers Lane, 30 Chalmers Lane, 26 Chalmers Lane, 1 Drummond Street, 3 Drummond Street, 67 Drummond Street, 80 Drummond Street, and 82 Drummond Street.
- Arbor Day Celebration was held on April 24, 2015; Mayor Moore issued a proclamation to this effect.

- The Winton Road Phase II is well underway; completion is expected in mid-May.
- The pool is now filled with water. Resident discount memberships have been extended through opening day.

Ms. Walther noted she, Mayor Moore and the Municipal Manager attended *Tree City USA* in Wyoming, Ohio.

#### **Law Director – Jeff Forbes**

- With respect to *Sunshine Law/Open Meetings*, explained the City of Mason conducted a special Council meeting at which a topic was discussed that was not part of the meeting notice. This meeting was legal because it conformed to the City of Mason Charter, which takes control in this case. The Village of Greenhills does not have this provision in its Charter and would, therefore, State law would control. The lesson is to know and act in accordance to the Charter.
- Referenced Olantangee Board of Education case regarding school board members conversing by email. All but one member of the board was included in the email exchange which raised a question by the one member as to whether or not the *virtual meeting* violated the open meeting law. A law suit was filed and the Trial Court ruled in favor of the school board as did the Court of Appeals--no Sunshine Law violation. The case was appealed to the Ohio Supreme Court who accepted the case; no decision as yet. Will continue to monitor this case.

In answer to a question asked by Ms. Walther, Mr. Forbes advised a member must be physically present in order participate and vote at a meeting.

#### **Clerk of Council – Kathryn L. Lives**

- The April 2015 Community Calendar and Resolution No. 2015-04-F and Ordinance No. 2015-02-F were posted as required.
- Notice of the April 16, 2015 Recreation Commission, April 27, 2015 Finance Committee and April 28, 2015 Planning Commission meetings were also posted as required. Cancellation of the April 27, 2015 Streets and Services Committee meeting.

#### **Chief of Police – Neil Ferdelman**

- During the month of March, the department investigated three accidents (down from five in March of 2014), two crimes (down from three last March), and 249 other incidents (up from 171 last March). Of a total of 763 contacts (742 last March), 309 were dispatched or received by telephone as compared to 135 last March, and 454 were self-initiated by police officers as compared to 607 last March. The department provided assistance to the public in 96 instances (88 times last March), assisted other agencies 56 times (up from 35 times last March), and made 38 criminal arrests (compared to 41 last March) and 85

traffic arrests (113 last March). Each crime was analyzed for geographic, temporal, and other factors.

- Greenhills police officers received specialized no cost training in the past few weeks. Officer in Charge Bryan Johnston, along with Officers Patton, Moore, Spinelli, and Guilfoyle all received Active Shooter training instructed by Forest Park Sergeant Tony Pope at the high school using “simunitions” or simulated non-lethal training ammunition. The instruction prepared the officers for the response to an active shooter situation at a school. Officers Moore and Spinelli participated in a Defensive Tactics School that covered Taser usage, takedown maneuvers, ground defense, weapon retention, and a review of applicable court decisions.
- On a related note, the Winton Woods School District forwarded booklets of emergency management responses to school buildings. Requested and received electronic versions of this information, which has now been loaded onto the in-house computers as well as the computers in the cruisers.
- We received two new computers which were installed by Chip Bergquist from Waycross Media in the booking room and the patrol supervisor’s office. They replaced outdated systems with software subject to security breaches.
- The department invoked a period of mourning in the memory of retired Forest Park Police Officer George H. Brooks and Cincinnati Firefighter Daryl Gordon. The Chief participated, along with a group of Hamilton County Police Chiefs, who saluted Firefighter Gordon’s procession as it traveled from Cincinnati to Springdale. Several officers of the department attended either the visitation or services for Sergeant Brooks, and members of the department assisted with the funeral procession.
- Mt. Healthy Police Chief Vince Demasi and Chief Ferdelman met with Hamilton County Clerk of Courts Tracy Winkler in an effort to convert several court filings from paper to an electronic format. Currently, suburban Hamilton County police agencies must dispatch an officer downtown to hand carry certain forms, such as appeals and transfers from Mayor’s Court, as well as paperwork following domestic violence arrests. Both Chiefs comprised a committee from the Hamilton County Association of Chiefs of Police seeking to ask the courts to accept these documents electronically, saving trips downtown, which are costly in terms of officers’ time, parking costs, and fuel. The Clerk’s office is reviewing the proposal and a meeting with the Presiding Judge will be held in the near future.
- All parties on this end have signed the contract with the office of Ohio Attorney General Mike DeWine to initiate collection services for Mayor’s Court with his office. Once the implementation of the contract is complete at that end, the new service will start which will increase the amount of funds collected. These monies that will go back into the General Fund.

- A Forest Park man was charged with two felony counts of Trafficking in Drugs after attempting to sell 1.2 grams of heroin to undercover police officers on April 16, 2015. Agents of the regional Drug Abuse Reduction Task Force (DART), along with Greenhills officers, arrested Jamie D. Holloway, 22, in front of 2 Eswin Street in Greenhills. After he was transported to the Hamilton County Justice Center, additional drugs – 3.5 grams of crack cocaine – were found concealed inside his person, resulting in the second felony drug charge. Holloway has a history of drug arrests.
- The Greenhills Police Department rejoined DART last year and has supplied officers to the task force, which combats drug trafficking throughout Hamilton County. Undercover Greenhills and Forest Park officers were both involved with this arrest, along with uniformed Greenhills officers. This latest arrest is a continuing string of enforcement efforts in the community against drugs, particularly targeting heroin.
- On April 8, 2015, Daron Tatum, 23, Cincinnati, was arrested by Officers Moore and Guilfoyle and charged with Drug Possession, Possession of Drug Paraphernalia, Carrying a Concealed Weapon, and having Weapons While under Disability. Tatum had a digital scale with drug residue in his vehicle. He was carrying a loaded 40 caliber pistol and almost \$2,700 in cash. The money has been seized pending a forfeiture application.
- On March 26, 2015, Officer Patton was investigating a vehicle being driven erratically northbound on Winton Road just before it went off the side of the road while travelling into Forest Park. The Greenhills resident was found to be overdosing on heroin and had heroin on his person.
- The Greenhills Police Department is committed to combatting the sale of any illicit drugs in our community with a particular focus on heroin, which is destroying lives on a daily basis. A strong association with DART provides the tools to effectively fight the dealers.

Mr. Drees expressed appreciation to Chief Ferdelman and the Greenhills Police Department for their dedicated service to the community.

#### **Mayor – David Moore, Audited Court Receipts**

- Audited Court receipts for March 2015: Hamilton County - \$99.00; State of Ohio - \$2,867.00, Village of Greenhills - \$14,614.84; total - \$17,580.84
- Attended the recent Tree City USA Awards program in Wyoming, Ohio. Displayed a plaque in honor of the Village of Greenhills 30 year of participation in the program.

#### **COMMITTEE REPORTS**

##### **Community Development – Halter**

- A review of the community's brand is underway, including a logo refinement.

- The Community Development Committee will meet on June 22, 2015. Public comments and concerns are welcome prior to the meeting.
- Encouraged residents to pick up litter as part of community pride.

### **Traffic & Safety – Brokaw**

- The Traffic and Safety Committee met on April 27, 2015.
  - Chief Ferdelman is working on a general orders update. Additional information is forthcoming.
  - Clarified misinformation about a gun at a school. Noted the incident actually occurred in Forest Park, most likely Winton Forest.
  - The Fire Department quint is now paid in full; proper authorization is in place to dispose of two other vehicles.
  - New windows have been installed in the Fire Department headquarters building.
  - Called attention to Damon Road safety issues. Hamilton County recognizes the thoroughfare as a through street and, therefore, does not qualify for speed bumps. Enforcement is the best solution. Residents were asked to call the Police Department to report incidents. Mayor Moore indicated the parking regulations on Damon Road are mostly tradition.
  - After discussion, the Traffic and Safety Committee meetings will move to the Monday prior to the Council meeting. The next committee meeting is scheduled for May 18, 2015.

### **Finance & Audit – Drees**

- Finance and Audit Committee met on April 27, 2015.
  - March financials were reviewed; year-to-date income tax is 10.8% greater than in 2014 through March 31, 2015. Year-to-date real estate taxes are \$10,000 less than in 2014. General Fund revenues are 3.8% greater than 2014, and the General Fund balance as of March 3, 2015 is \$1,171,944.60. Year-to-date expenses are \$387,139.09.
  - Finance Committee questions were answered by Finance Director Matt Sanders relative to the Financial Report.
  - Tax budget will be prepared by May 29, 2015, a public hearing is set for June 9, 2015 with Council consideration and adoption on June 23, 2015.
  - With respect to the current bond refinancing, a new interest rate is anticipated in the near future.
  - The State Auditor's Office has awarded the bid for the Greenhills audit; more information is forthcoming.
- The Junior Golf League will take place on Fridays at 9:00 a.m.

### **Recreation & Cable Television – Hermes** - no report

### **Inter-Governmental Affairs, Laws & Rules - Lee**

- The Laws and Rules Committee met on April 27, 2015 and discussed the following:
  - Proposed changes to the Employee Handbook as well as the list of supplemental questions for clarification. This matter will come before Council at a future date.
  - Vicious dog ordinance; Chief Ferdelman is comfortable with the current ordinance.
  - Proposed changes in enforcement of garage doors rather than an amendment or addition to the current section of the code.

### **Services & Streets - Walther**

- The Winton Road improvements have begun; completion is expected in mid-May.
- Continue to wait for the vendor to schedule the repainting of peeling paint areas on the Service Department building; work is under warranty.
- The Service Department is replacing one of the back decks at Molloy's.
- Will attend the Hamilton County Commissioners meeting on April 29, 2015.
- Mr. Eddy Dishueme, who addressed Council at the September 9, 2014 Council meeting/work session, is now an official candidate for President of the Congo.
- On April 26, 2015, represented the Village of Greenhills at the Reds game. The first pitch and catch by area officials has been rescheduled to May 30, 2015.
- On April 27, 2015, attended the Laws and Rules Committee meeting.
- On April 29, 2015, plans to attend the Hamilton County Municipal League meeting.

### **GENERAL ORDERS AND UNFINISHED BUSINESS**

#### **1. ORDINANCE NO. 2015-03-L&R**

*Ordinance Authorizing the Village Clerk to Forward to the Greenhills Planning Commission Proposed Amendments to the Greenhills Zoning Code for Review and Recommendation*

***Recommended by the Laws and Rules Committee. Ordinance No. 2015-03-L&R was read for the first time at the March 24, 2015 regular Council meeting. On the agenda for second reading and passage.***

Mr. Lee moved, seconded by Mr. Halter, to suspend the rules requiring the reading the ordinance in full and read for the second time by title only. Motion carried by voice vote.

Mr. Lee read Ordinance No. 2015-03-L&R for the second time by title only.

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

Voting as follows: "Aye: - Brokaw, Drees, Halter, Lee and Walther; "No" – none.  
Ordinance No. 2015-03-L&R adopted 5-0 by roll call vote.

**NEW BUSINESS**

**1. RESOLUTION NO. 2015-14-F**

*Resolution Making Supplemental Appropriations and Transfers*

***Recommended by the Finance Committee. On the agenda for passage.***

Mr. Drees read in full Resolution No. 2015-14-F.

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

Drees – This supplemental appropriation does the following: places \$46,704.75 from the Cincinnati Water Works in the Capital Project Fund; transfers budgeted \$20,000.00 from the General Fund to the Swimming Pool Fund; and transfers \$187,260.00 from the sale of real estate to the General Obligation Bond Retirement Fund to pay down principal.

Voting as follows: “Aye: - Brokaw, Drees, Halter, Lee and Waltherr; “No” – none.  
Resolution No. 2015-14-F adopted 5-0 by roll call vote.

**CALENDAR**

Golf Course – NOW OPEN

Election Day, May 5, 2015 – REMEMBER TO VOTE

Council Meeting/Work Session, May 12, 2015, 7:00 p.m., Council Chambers

Traffic and Safety Committee, May 18, 2015, 4:30 p.m., Municipal Building

May 23, 2015 – POOL OPENS

May 25, 2015, MEMORIAL DAY – Municipal Offices Closed

Community Development Committee, June 22, 2015, Municipal Building

With no further business forthcoming, the meeting adjourned at 8:08 p.m.

Kathryn L. Lives, CLERK OF COUNCIL /s/

David Moore, MAYOR /s/