

**VILLAGE OF GREENHILLS**  
**REGULAR COUNCIL MEETING**

**APRIL 17, 2012**  
**AGENDA**

**CALL TO ORDER:** Mayor Fred Murrell

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Mr. Jeff Halter  
Mr. Glenn Drees  
Mr. Greg Hermes

Mr. David Adams  
Mr. Bud Wolterman  
Mrs. Maria Waltherr

**APPROVAL OF MINUTES:** Minutes of the March 6, 2012 regular Council meeting, the March 20, 2012 and April 3, 2012 work sessions.

**RESIDENTS TO ADDRESS COUNCIL** – (This is the time for citizens to comment on matters before Council or to ask questions of concern to them. When recognized, please come forward to the lectern, give your name and address and then state your comments or questions. Council meetings are tape recorded for ease of transcription. Comments are limited to two minutes.)

**REPORTS OF VILLAGE OFFICIALS**

1. Municipal Manager – Evonne Kovach
2. Law Director – Jeff Forbes
3. Clerk of Council – Kathryn L. Lives
4. Chief of Police – Thomas Doyle
5. Fire Chief – Anthony Spaeth
6. Mayor – Fred Murrell, Audited Court Receipts

**COMMITTEE REPORTS**

1. Finance & Audit - Drees
2. Inter-Governmental Affairs, Laws & Rules - Waltherr
3. Services & Streets - Adams
4. Community Development - Halter
5. Traffic & Safety - Wolterman
6. Recreation & Cable Television - Hermes

**UNFINISHED BUSINESS AND GENERAL ORDERS**

- 1. ORDINANCE NO. 2012-05-L&R** (Postpone until May 1<sup>st</sup>)

*An Ordinance Amending the Village of Greenhills Codified Ordinance, Chapter 121.01 Rules of Council, by Adding in Rule No. 42 Roberts Rules of Order (Waltherr)*

Note: Ordinance No. 2012-05-L&R was read for the first time by title only by Mrs. Waltherr at the March 6, 2012 regular Council meeting.

**2. ORDINANCE NO. 2012-06-L&R (Postpone until May 1<sup>st</sup>)**

*An Ordinance Amending the Village of Greenhills Codified Ordinances, Chapter 121.01 Rules of Council, by Adding in Rule No. 43 General Rules of Decorum, Enforcement (Waltherr)*

Note: Ordinance No. 2012-06-L&R was read for the first time by title only by Mrs. Waltherr at the March 6, 2012 regular Council meeting.

**3. ORDINANCE NO. 2012-07-L&R (Postpone until May 1<sup>st</sup>)**

*An Ordinance Amending the Village of Greenhills Codified Ordinances, Chapter 121.01 Rules of Council, by Adding Rule No. 44 Recording Devices (Waltherr)*

Note: Ordinance No. 2012-07-L&R was read for the first time by title only by Mrs. Waltherr at the March 6, 2012 regular Council meeting.

**4. ORDINANCE NO. 2012-08-L&R (Postpone until May 1<sup>st</sup>)**

*An Ordinance Amending the Village of Greenhills Codified Ordinances, Chapter 121.01 Rules of Council, by Adding Rule No. 45 Signs and Placards, Banners (Waltherr)*

Note: Ordinance No. 2012-08-L&R was read for the first time by title only by Mrs. Waltherr at the March 6, 2012 regular Council meeting.

**5. ORDINANCE NO. 2012-09-L&R**

*An Ordinance Adopting a Revised Employee Handbook (Wolterman for Waltherr)*

Note: Ordinance No. 2012-09-L&R was read for the first time by title only by Mrs. Waltherr at the March 6, 2012 regular Council meeting.

**6. ORDINANCE NO. 2012-10-L&R**

*On Ordinance Adopting the International Property Maintenance Code (Wolterman for Waltherr)*

Note: Ordinance No. 2012-10-L&R was read for the first time by title only by Mrs. Waltherr at the March 6, 2012 regular Council meeting.

**NEW BUSINESS**

**1. ORDINANCE NO. 2012-16-T&S**

*An Ordinance Repealing Section 505.021 of the Codified Ordinances Relating to Pit Bull Dogs and Declaring an Emergency (Wolterman)*

**2. ORDINANCE NO. 2012-17-CD**

*An Ordinance Adopting an Electric Fee Schedule and Declaring an Emergency (Halter)*

**3. ORDINANCE NO. 2012-18-F**

*An Ordinance Approving the Appointment of Kim Cox to the Position of Finance Director and Establishing Compensation and Declaring an Emergency (Drees)*

**4. ORDINANCE NO. 2012-19-CD**

*An Ordinance Designating a preferred provider and authorizing the municipal manager to negotiate a lease agreement with catering adventures, Inc. for a space lease and banquet facility operation (Halter)*

**5. ORDINANCE NO. 2012-20-L&R**

*An Ordinance Adopting a Policy related to the auditor of state's fraud reporting system and authorizing the inclusion of said policy in the Greenhills employee manual and declaring an emergency (Wolterman for Walther)*

**6. ORDINANCE NO. 2012-21-S&S**

*An Ordinance authorizing the Municipal Manager to enter into a contract with Molloy Roofing Co. for the re-roofing of and chimney repairs to the Marquardt House and declaring an emergency (Adams)*

7. A motion to convene an executive session to discuss the performance evaluation of the Clerk of Council (Drees)

**CALENDAR**

**ADJOURNMENT**

**ORDINANCE NO. 2012-16-T&S**

**AN ORDINANCE REPEALING SECTION 505.021 OF THE CODIFIED ORDINANCES RELATING TO PIT BULL DOGS AND DECLARING AN EMERGENCY**

**WHEREAS**, on October 2, 2007, Council adopted Ordinance No. 2007-28-L&R establishing Section 505.021 of the Codified Ordinances regulating the pit bull breed of dog; and

**WHEREAS**, the State of Ohio has recently repealed legislation regulating breed specific dogs, namely pit bull dogs; and

**WHEREAS**, it is in the best interest of the Village of Greenhills to be in concert with the laws and mandates of the State of Ohio, specifically as it relates to breed specific dogs.

**NOW THEREFORE**, Be It Ordained by the Village of Greenhills.

**SECTION 1.**

That Section 505.021 of the Codified Ordinances, as enacted by Ordinance No. 2007-28-L&R reading as follows is hereby **repealed** in its entirety.

- (a) ~~No person shall own, keep or harbor a pit bull dog as hereinafter defined within the Municipal limits of the Village of Greenhills, Ohio.~~
- (b) ~~“Pit bull dog” as used in this section means a dog that belongs to a breed that is commonly known as a pit bull dog or pit bull terrier which includes any Staffordshire bull terrier, American Staffordshire terrier or American pit bull breed of dog or which has the appearance and characteristics of being predominately of any such breed or which is identifiable as partially of such a breed.~~
- (c) ~~Whoever violates this section shall be guilty of a misdemeanor of the third degree on the first offense and a misdemeanor of the first degree for each subsequent offense under this section. In addition to any other sentence that it imposes on the offender, the court shall order the pit bull dog either destroyed or permanently removed from the Village. Any person found guilty of violating this section shall pay all expenses, including shelter, food, boarding and veterinary expenses necessitated by the seizure of the dog, and such other expense as may be required for the destruction or permanent removal from the Village of any such pit bull dog.~~

**SECTION 2.**

That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare, and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to be in concert with the laws and mandates of the State of Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK OF COUNCIL

**ORDINANCE NO. 2012-17-CD**

**ORDINANCE ADOPTING AN ELECTRIC FEE SCHEDULE  
AND DECLARING AN EMERGENCY**

WHEREAS, the Village has determined that it is necessary to assess fees for certain services; and

WHEREAS, Council has previously adopted a fee schedule that did not include new fees for electric inspections and permits.

NOW, THEREFORE, be it ordained by the Council of the Village of Greenhills, Ohio,  
\_\_\_\_\_ members elected thereto concurring:

**Section 1.** That the Council of the Village of Greenhills hereby adopts an electric fee schedule as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

**Section 2.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to have the electric fee schedule in place when NCI takes over electric inspections and permitting in May of this year.

PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR

## ELECTRICAL FEE SCHEDULE

### 1) Residential (RCO):

Application Fee	\$ 30.00
New Homes, Room Additions and Alterations	
Base Fee	\$ 90.00
Plus \$ .04 per Square Feet of affected area	
Temporary Construction Service (Temp Pole)	\$ 30.00
Electric Service Upgrade/ Reconnect	\$ 35.00
+Additional Wiring	\$ 55.00
Swimming Pool Electric	\$ 80.00
Miscellaneous Electric (Generators, solar panels etc)	\$ 35.00
Residential Plan Review	\$ 25.00
Ohio Board of Building Standards Fee 1% of Total	

### 2) Commercial (OBC):

Application Fee:	\$ 30.00
Base Fee	\$180.00
Plus \$4.50 Per 100 Square Feet of affected area	
Temporary Construction Service (Temp Pole)	\$ 30.00
Minor Alteration: Electric	\$ 80.00
Sign Fees- Electric:	
Small Sign-Under 30 Square Feet	\$ 50.00
Large Sign-Over 30 Square Feet	\$100.00
Traffic Signals/Generators	\$180.00
Plan Review	\$ 65.00/hr
Ohio Board of Building Standards Fee 3% of Total	

### 3) Administrative & Other Fees:

Per Hamilton County Building Code

Note: Electric fees for Fire Alarms & HVAC replacements are automatically incorporated into these building permits. No additional submittals or fees are needed.

**ORDINANCE NO. 2012-18-F**

**APPROVING THE APPOINTMENT OF KIM COX  
TO THE POSITION OF FINANCE DIRECTOR  
AND ESTABLISHING COMPENSATION  
AND DECLARING AN EMERGENCY**

WHEREAS, Section 5.05 of the Village Charter provides that there shall be a Department of Finance, the head of which shall be the Finance Director; and

WHEREAS, Section 5.05 of the Village charter provides that the Finance Director shall be appointed by the Manager subject to the approval of the majority of the members of Council; and

WHEREAS, the Manager has appointed Kim Cox to the full-time position of Finance Director after considering all relevant factors, including education and experience in the field of accounting, taxation, budgeting and finance and performance over the last year; and

WHEREAS, it is the intent of Council to approve said appointment.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Greenhills, Ohio, \_\_\_\_\_ members elected thereto concurring:

Section 1. That Council for the Village of Greenhills hereby approves the Manager's appointment of Kim Cox to the full-time position of Finance Director.

Section 2. That the base rate of pay for the full-time position of Finance Director shall be \$23.00 per hour and shall include all other benefits afforded to full-time employees of the Village.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to fill the full time finance director's position at the soonest possible date.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR

**ORDINANCE NO. 2012-19-CD**

**DESIGNATING A PREFERRED PROVIDER AND AUTHORIZING  
THE MUNICIPAL MANAGER TO NEGOTIATE A LEASE  
AGREEMENT WITH CATERING ADVENTURES, INC., FOR A  
SPACE LEASE AND BANQUET FACILITY OPERATION**

WHEREAS, proposals were requested and received for a banquet facility operation to be located in the property owned by the Village of Greenhills at 10 Enfield Place; and

WHEREAS, the Village of Greenhills has evaluated the various proposals and has determined that Catering Adventures, Inc., has submitted the best proposal for a banquet facility operation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Greenhills, Ohio, \_\_\_\_\_ members elected thereto concurring:

Section 1. That Catering Adventures, Inc., is hereby designated as the preferred provider of a banquet facility operation based on the proposal submitted by Catering Adventures, Inc..

Section 2. That the Municipal Manager is hereby authorized to negotiate a lease agreement with Catering Adventures, Inc., in accordance with the specifications set forth by the Village.

Section 3. That upon completion of successful negotiations with Catering Adventures, Inc., the Municipal Manager is further directed to submit said lease agreement to Village Council for approval and authorization.

Section 4. That in the event the Municipal Manager is unable to negotiate a satisfactory lease agreement with Catering Adventures, Inc., the Municipal Manager is hereby authorized to negotiate with the next ranked provider for a lease agreement related to the provision of banquet facility operations.

Section 5. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR

**ORDINANCE NO. 2012-20-L&R**

**ADOPTING A POLICY RELATED TO THE AUDITOR OF STATE'S  
FRAUD REPORTING SYSTEM AND AUTHORIZING THE  
INCLUSION OF SAID POLICY IN THE GREENHILLS EMPLOYEE  
MANUAL AND DECLARING AN EMERGENCY**

WHEREAS, Ohio Auditor of State's Office maintains a system for the reporting of fraud including misuse of public money by an official or office; and

WHEREAS, pursuant to Section 117.103 of the Ohio Revised Code, a public office shall provide information about the Ohio Fraud Reporting System and the means of reporting fraud to each new employee upon employment with the public office.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Greenhills, Ohio, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the Village of Greenhills hereby adopts a policy related to the Auditor of State's Fraud Reporting System substantially in the form of the policy attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. That said policy is hereby authorized to be included in the Greenhills Employee Manual.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to comply with an implementation date of May 4, 2012, as provided by the State of Ohio.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR

**Auditor of State's Fraud Reporting System**

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.

Auditor of State's fraud contact information:

Telephone: 1-866-FRAUD OH (1-866-372-8364)  
US Mail: Ohio Auditor of State's office  
Special Investigations Unit  
88 East Broad Street  
P.O. Box 1140  
Columbus, OH 43215  
Web: www.ohioauditor.gov

As detailed in Section 124.341 of the Revised Code, employees making a complaint are protected under the whistle-blower protections. Any employee making a claim is protected against certain retaliatory or disciplinary actions. If retaliatory or disciplinary action is taken against the employee, the employee has the right to appeal with the State Personnel Board of Review.

**Acknowledgement-of-receipt-of-Auditor-of-State-fraud-reporting-system-information**

Pursuant to Ohio Revised Code 117.103(B)(1), a public office shall provide information about the Ohio fraud-reporting system and the means of reporting fraud to each new employee upon employment with the public office.

Each new employee has thirty days after beginning employment to confirm receipt of this information.

By signing below you are acknowledging the Village of Greenhills provided you information about the fraud-reporting system as described by Section 117.103(A) of the Revised Code, and that you read and understand the information provided. You are also acknowledging you have received and read the information regarding Section 124.341 of the Revised Code and the protections you are provided as a classified or unclassified employee if you use the before-mentioned fraud-reporting system.

I, \_\_\_\_\_, have read the information provided by my employer regarding the fraud-reporting system operated by the Ohio Auditor of State's office. I further state that the undersigned signature acknowledges receipt of this information.

\_\_\_\_\_  
PRINT NAME and TITLE

\_\_\_\_\_  
SIGNATURE and DATE

**ORDINANCE NO. 2012-21-S&S**

**AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A CONTRACT WITH MOLLOY ROOFING CO. FOR THE RE-ROOFING OF AND CHIMNEY REPAIRS TO THE MARQUARDT HOUSE AND DECLARING AN EMERGENCY**

**WHEREAS**, there are extensive within the Marquardt House and the roof on the house has not been replaced in the last 30 years and the chimneys are deteriorating and crumbling causing a serious safety hazard that needs to be addressed; and

**WHEREAS**, the Marquardt House is listed on the National Register of Historic Places and therefore the Village has been advised by its consultant on historic matters; and

**WHEREAS**, the Village has obtained bids from 3 roofers for this work and is satisfied that Molloy's Roofing Co. is the most qualified to perform this work;

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Greenhills, State of Ohio, \_\_\_ member elected thereto concurring:

Section 1. That the Municipal Manager is hereby authorized to enter into a contract with Molloy's Roofing Co. in the approximate amount of \$15,500 for the re-roofing of and chimney repairs to the Marquardt House.

Section 2. That the Fiscal Officer is authorized to make payment in the amount of \$15,500.00 to Molloy's Roofing Co, pursuant to the terms of said contract.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare, and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to make these repairs before any further deterioration and damage is done to this historic structure.

**PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.**

**ATTEST:**

\_\_\_\_\_  
CLERK OF COUNCIL

**APPROVED:**

\_\_\_\_\_  
MAYOR