

VILLAGE OF GREENHILLS
REGULAR COUNCIL MEETING
JULY 17, 2012
MINUTES

A regular meeting of the Council of the Village of Greenhills, Ohio was called to order on July 17, 2012 at 7:00 p.m. by Vice Mayor Glenn Drees. Also present were: Messrs. David Adams, Jeff Halter, Greg Hermes, Bud Wolterman and Mrs. Maria Waltherr. Also present were: Municipal Manager Evonne Kovach, Law Director Lisa Remes, Police Chief Thomas Doyle, Fire Chief Tony Spaeth and Clerk of Council Kathy Lives.

Mayor Fred Murrell was excused due to a prior commitment.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Vice Mayor Drees.

APPROVAL OF MINUTES: Minutes of the June 5, 2012 regular Council meeting and the June 25, 2012 special Council meeting were approved as submitted.

The minutes of the June 19, 2012 work session were amended to reflect that Mrs. Waltherr stated her objection to the proposed ordinance establishing a moratorium on all non-residential development. The minutes were then approved as amended.

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.)

Mr. Tom Brownfield, 29 Damon Road, called attention to a proposed ordinance that would affect residents that harbor four or more domestic animals in their homes. As an owner of four dogs, he requested clarification on how the proposed ordinance would affect him. Mr. Wolterman explained the regulation regarding domestic animals is contained in the Zoning Code which is currently under a major revision. He indicated another public meeting relative to the revised Zoning Code is upcoming and suggested Mr. Brownfield attend. Mr. Drees indicated a Village official will get back with Mr. Brownfield regarding his concerns.

Ms. Jean Marcelli, 154 Farragut Road, explained in detail a real estate lease option agreement between her and the Village of Greenhills on the property located at 52-54 Flanders. Although the transaction did not materialize for the Flanders property, she expressed concern about the way she was treated by some Village officials, including that relative to certain non-refundable fees per terms of the contract. She then requested the Village to investigate the situation with legal counsel and to determine if some or all of the fees are refundable.

Ms. Terri Treinen, 37 Dewitt Street, called attention to the special Planning Commission meeting held on June 27, 2012 to consider a modification to the DeWitt PUD submitted by the property owner of 22 Dewitt. In answer to a question asked by Ms. Treinen, Mr. Drees indicated proper public notice was given for this meeting. He stated the Planning Commission passed a minor modification to the PUD to allow approximately 223 sf of additional concrete, including a

walkway, driveway pad and access to the street at 22 Dewitt Street. Ms. Treinen stated her concern that the additional storm water runoff would overwhelm the PUD private retention system should the other homeowners add concrete to their properties. Mr. Drees stated legal counsel reviewed the request and offered advice on how to proceed. Ms. Treinen indicated, in her opinion, if modifications to a PUD are not properly noticed and granted, there could be major issues in the future.

Mr. Drees stated the Winton Woods High School Varsity Ensemble, under the direction of Director David Bell, won a gold medal in the championship division of the World Choir Games on July 8, 2012. The ensemble competed against 13 choirs from eight countries and placed fifth overall. Mr. Drees then read in full a proclamation recognizing this most distinguished accomplishment and declared July 18, 2012 as *Winton Woods Varsity Ensemble Day* in the Village of Greenhills.

REPORTS OF VILLAGE OFFICIALS

Municipal Manager

- The 2013 Tax Budget contains a footnote that “advances to apartments” has been deleted.
- With respect to the financial report, receipts and expenditures transactions are large due to the bond refinancing.
- The income tax receipts are slightly ahead as of the same date last year.
- The legislation on the banquet hall for consideration by Council later in the meeting contains two agreements: one between the Village of Greenhills and SJS to permit operation under the existing liquor license and a second between the Village of Greenhills and Destiny’s for the operation of the facility.
- The pool is scheduled to close on August 19, 2012. Due to the hot summer temperature, requested Council to consider keeping the pool open for two additional weekends; anticipated costs and receipts are forthcoming.
- The Winton Road Improvement Project has been let for bid which is due on August 1, 2012. The bid contains a cost estimate for repaving Eswin (shopping center parking lot). The project deadline is October 19, 2012. Mr. Drees pointed out \$240,000 has been budgeted for this project.

Law Director – Lisa Rammes – No report.

Clerk of Council – Kathryn L. Lives

- Ordinance No. 2012-24-L&R, 2012-26-F, 2012-25-F, Resolution No. 2012-27-F, Ordinance No. 2012-28-F, and Ordinance No. 2012-29-F were posted as required.
- Also posted were: the June 2012 Community Calendar, cancellation notice of the Laws and Rules Committee meeting of 6-25-12 and notice of the Streets and Service Committee meeting of 6-29-12, special Council meeting of June 25, 2012, and the Planning Commission meeting of June 27, 2012.
- Notice given of the July Council meeting changes, the July 17, 2012 public hearing regarding the 2013 budget, and the July 19, 2012 Planning Commission meeting.

Chief of Police – Sgt. Anne Ward

- The monthly Officer Activity Report, Monthly Crime Analysis, and the Personnel Early Warning System Report were filed with Council and are available for public review.

Fire Chief – Anthony Spaeth

- Activity for the month of June – 25 fire responses and 27 EMS runs for a total of 52; year to date total of 332 runs versus 297 last year.
- The Fire Department received \$4,000 grant from the Ohio Department of Public Safety for EMS training and equipment.
- The Fire Department has interviewed and accepted five new members for a total roster of 49 members. Most members have fire and EMS training or a combination of both.
- Various members of the department are continuing their training and education.
- The Fire Department has received Self-Contained Breathing Apparatus (SCBA) to replace almost all of the outdated equipment; the replacement equipment will be in compliance until 2019. Thanked the City of Cincinnati and Hamilton County for the donation of surplus equipment with an estimated cost of \$100,000.
- Warned residents open burning is prohibited in the Village of Greenhills. Extra caution should be taken with grills and other permitted burning during this extremely dry season.
- He and Chief Oscar Hoffman are attending the Fire Chief's Association Conference in Sharonville, Ohio.

Mayor – Vice Mayor Drees

- Audited Court receipts for June - \$2709.00 State of Ohio; \$8,835.00 Village of Greenhills; bonds minus \$210.00; total \$11, 334.00.
- Urged residents to attend a *Concert on the Commons* and car show on July 18, 2012. Expressed appreciation to Mr. Jim Miller who plans these events.
- Thanked the Our Lady of the Rosary (OLR) Boy Scout Troop and Scout Leader Chris Sauer for handling night security during the 4th of July festival.

COMMITTEE REPORTS

Finance & Audit – Drees – No report.

Inter-Governmental Affairs, Laws & Rules - Waltherr

- Attended various meetings regarding the Winton Woods School District.
- Attended a local band presentation.
- Attended the June 27, 2012 Planning Commission meeting and the Historical Society meeting thereafter.
- Offered assistance at a show case of Winton Woods Middle School subjects at the Forest Park Senior Center.
- Attended the *Pioneer Days* festival activities.
- Attended the *Greenhills Hilltoppers* luncheon on July 5, 2012.
- Attended a rally for Josh Mandel who is running for U.S. Senator from Ohio.

- Attended a meeting with Senator Rob Portman which was an opportunity to promote the Village of Greenhills.
- A Law and Rules Committee is scheduled for July 30, 2012 at 9:00 a.m.

Services & Streets – Adams

- The Services and Streets Committee met on June 26, 2012 to review the proposed tree ordinance, additional funding from the State for additional tree removal caused by the emerald ash borer infestation; and the water main project on the west side of the village. A separate vendor/contractor will return to the village to repair sidewalks/driveways by September 2012.
- Street funding is available for the Winton Road Improvement Project.
- The committee determined it is not in the best interest of the Village to collect a special assessment for paving the shopping center parking lot.
- Congratulated the Village of Greenhills Gators Swim Team on a successful season.
- Reminded residents to refill water bags on trees located in their planting strips; residents assistance is needed to ensure the growth of these trees during the hot summer temperatures.

Community Development - Halter

- Thanked volunteers for watering trees and plants throughout the community.
- A Beautification and Design Committee is in the formation stages; residents interested in serving on this committee may contact Mr. Halter for further information.
- Referenced a magazine article about Greenhills sister city in Greendale, Wisconsin; thanked all volunteers for their efforts in beautifying the Village of Greenhills.
- Mrs. Waltherr commented favorably on the new trash cans on the Commons.

Traffic & Safety - Wolterman

- Reminded all residents to indicate Greenhills on the form when renewing motor vehicle licenses.
- The Traffic and Safety Committee met on June 27, 2012. The following items were discussed: revised disaster preparedness manual; dangerous and vicious dog legislation; school zone signage; brush truck status, license plate reader; new vehicle for the Police Department; and in-car video equipment.
- Minutes are on file and available for public inspection.

Recreation & Cable Television – Hermes

- The Dine and Dive event as part of *Pioneer Days* was cancelled due to inclement weather; it was held the following weekend.
- The *Pioneer Days Parade* was also cancelled due to inclement weather; there is discussion about having the parade over the Labor Day holiday.
- Thanked all who planned and executed the Pioneer Days festival, including the Fire Department and Fire Chief Tony Spaeth.

- Mr. Halter suggested that for future events, a map be provided as to where booths and rides are placed.

NEW BUSINESS

1. ORDINANCE NO. 2012-30-S&S

Ordinance Establishing a Tree Advisory Board and a Comprehensive Tree Maintenance Program for Greenhills

Mr. Adams moved, seconded by Mr. Wolterman, to suspend the rules requiring reading the ordinance two times on two separate occasions and reading the ordinance in its entirety. Motion carried by voice vote.

Mr. Adams read the ordinance by title only.

Mr. Adams moved to adopt, seconded by Mrs. Waltherr.

Mr. Adams stated:

- Greenhills has been awarded Tree City USA status from the National Arbor Day Foundation every year since 1985 and desires to continue to enhance its program for the care of public trees.
- Greenhills recognizes that its tree canopy is a vital asset and the Village has recently updated its tree inventory and desires, among other things, to insure the continued existence of a diversity of tree species and age classes.
- This ordinance is to a) promote and protect the beauty and environmental qualities of trees in Greenhills by providing for updated regulations and the planting, maintenance, preservation and removal of trees in Greenhills, and b) establish a Tree Advisory Board to promote new and existing tree programs in support of urban forest management.
- Section 2 establishes the definitions.
- Section 3 states the Municipal Manager controls trees in the municipality.
- Section 4 establishes a Tree Advisory Board.
- Section 5 addresses tree maintenance/removal.
- Section 6 sets procedure for utility providers.
- Section 7 addresses tree protection.
- Section 8 regulates realty developments and construction.
- Section 9 sets penalties.

Drees – Pointed out that Section 4 (c) states the Tree Advisory Board shall meet a minimum of six (6) times per year and that Section 8 (c) states no person shall excavate ditches, tunnels, trenches or install a driveway or sidewalk within a radius of ten feet of any public tree or shrub without first obtaining written approval from the Municipal Manager.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman.
Ordinance No. 2012-30-S&S adopted 6-0 by roll call vote.

2. ORDINANCE NO. 2012-31-F

Ordinance Making Supplemental Appropriations

Mr. Halter moved, seconded by Mr. Wolterman, to suspend the rules requiring reading the ordinance two times on two separate occasions and reading the ordinance in its entirety. Motion carried by voice vote.

Mr. Halter read the ordinance by title only.

Mr. Halter moved to adopt, seconded by Mrs. Waltherr.

Kovach – This ordinance appropriates the money that the Village has now received from the bond refinancing to pay off the existing bonds. It also appropriates additional funds into the Fire contract (from unappropriated money in that particular account), adds additional funds into the banquet hall, and reallocates funds from within the same fund to different purposes within that fund. All other reallocations are within their line item areas. An informational memo has been provided with a list of work performed at the banquet facility.

Drees – ordinance reallocates funds for supplies at Spoils Field after a large event over the weekend.

Wolterman – suggested reallocating funds for seating improvements at Spoils Field.
Kovach - Discussions are ongoing relative to this matter.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman.
Ordinance No. 2012-31-F adopted 6-0 by roll call vote.

3. ORDINANCE NO. 2012-32-F

An Ordinance to Accept the 2013 Tax Budget

Mr. Halter moved, seconded by Mrs. Waltherr, to suspend the rules requiring reading the ordinance two times on two separate occasions and reading the ordinance in its entirety. Motion carried by voice vote.

Mr. Halter read the ordinance by title only.

Mr. Halter moved to adopt, seconded by Mr. Wolterman.

Drees – The tax budget under discussion does not contain salary increases for Village employees.

Wolterman – Suggested conducting the public hearing on future budgets a week or so prior to the consideration of the final budget; Council will visit this suggestion in the near future.

Drees – The Finance Committee will continue to monitor the budget closely.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman.
Ordinance No. 2012-32-F adopted 6-0 by roll call vote.

4. ORDINANCE NO. 2012-33-CD

Authorizing the Municipal Manager to Enter into a Lease Agreement with Catering Adventures, Inc., dba Destinys Catering, Inc., and Declaring an Emergency

Mr. Halter moved, seconded by Mrs. Waltherr, to suspend the rules requiring reading the ordinance two times on two separate occasions and reading the ordinance in its entirety. Motion carried by voice vote.

Mr. Halter moved, seconded by Mr. Wolterman, to retain the emergency clause.

Drees – The emergency clause is necessary to execute the budget in a timely manner for submission to Hamilton County by July 20, 2012.

Motion carried by voice vote.

Mr. Halter read the ordinance by title only.

Mr. Halter moved to adopt, seconded by Mr. Wolterman.

Kovach – The contracts attached as part of this ordinance have been reviewed by the appropriate Village officials.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman.
Ordinance No. 2012-33-F adopted 6-0 by roll call vote.

5. ORDINANCE NO. 2012-34-F

Authorizing the Municipal Manager to Enter Into an Agreement with Anthem for Providing Health Insurance Coverage for the Employees of the Village of Greenhills and Declaring an Emergency

Mr. Halter moved, seconded by Mr. Wolterman, to suspend the rules requiring reading the ordinance two times on two separate occasions and reading the ordinance by in its entirety. Motion carried by voice vote.

Mr. Halter moved, seconded by Mr. Adams, to retain the emergency clause. Motion carried by voice vote.

Mr. Halter read the ordinance by title only.

Mr. Halter moved to adopt, seconded by Mr. Adams.

Kovach – The rate with Anthem is exceptional for providing health care for Village employees. The ordinance is in order and passage is recommended.

Drees – Noted the Village pays 80% and the employees pay 20% of the health care premium.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman.
Ordinance No. 2012-34-F adopted 6-0 by roll call vote.

6. ORDINANCE NO. 2012-35-T&S

Authorizing the Municipal Manager to Enter Into a Contract with the Greenhills Fire Department, Inc. for Fire and Emergency Protection Services

Mr. Wolterman moved, seconded by Mr. Adams, to suspend the rules requiring reading the ordinance two times on two separate occasions and reading the ordinance for the second time in its entirety. Motion carried by voice vote.

Mr. Wolterman read the ordinance in full for the first time and by title only for the second time.

Mr. Wolterman moved to adopt, seconded by Mr. Adams.

Wolterman – The contract contains two major changes: 1) pool passes will be provided to Fire Department personnel and their families; and 2) authorizes the Fire Department to initiate medical soft billing for emergency runs in the Village and contract areas. This is a standard practice in surrounding municipalities, will help compensate losses in revenue, and contribute toward additional vehicles and equipment.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman.
Ordinance No. 2012-35-T&S adopted 6-0 by roll call vote.

7. RESOLUTION NO. 2012-36-F

Resolution to Place a 3.89 Mill Operating Levy Renewal on the November 2012 Ballot and Declaring an Emergency

Mr. Halter moved, seconded by Mr. Wolterman, to suspend the rules requiring reading the resolution two times on two separate occasions and reading it in its entirety. Motion carried by voice vote.

Mr. Halter moved, seconded by Mr. Wolterman, to retain the emergency clause.

Drees – It is necessary to adopt the resolution in a timely manner to meet the deadline for submission to the Hamilton County Board of Elections.

Motion carried by voice vote.

Mr. Halter read the resolution by title only.

Mr. Halter moved to adopt, seconded by Mr. Wolterman.

Drees – This is an operating levy renewal, not an increase. The inheritance tax will go away in 2013. The operating levy will generate \$100 for \$100,000 of valuation. If the operating levy does not pass, the Rumpke contract for trash collection will be reevaluated.

Wolterman – The levy will generate a lower amount of revenue because property values have been decreased.

Halter – A comparative study with surrounding communities is an option in the future.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Walther and Wolterman.
Resolution No. 2012-36-F adopted 6-0 by roll call vote.

CALENDAR

- Concert on the Commons and Car Show, July 18, 2012
- Planning Commission, July 19, 2012, 7:00 p.m., Municipal Building
- Laws and Rules Committee, July 30, 2012, 9:00 a.m., Municipal Building

With no further business forthcoming, the meeting adjourned at 9:25 p.m.

Fred Murrell, MAYOR /s/

Kathryn L. Lives, CLERK OF COUNCIL /s/