

VILLAGE OF GREENHILLS
REGULAR COUNCIL MEETING
SEPTEMBER 4, 2012
MINUTES

A regular meeting of the Council of the Village of Greenhills, Ohio was called to order on September 4, 2012 at 7:00 p.m. by Vice Mayor Glenn Drees. 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 Rammes, Police Chief Thomas Doyle, Fire Chief Tony Spaeth, and Clerk of Council Kathy Lives.

Mayor Murrell was excused due to a prior commitment.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Drees.

APPROVAL OF MINUTES: Minutes of the August 7, 2012 regular Council meeting and the August 14, 2012 special Council meeting were approved as submitted.

Without objection, the agenda was amended to take up Item 9 under New Business after reports of Village Officials excluding the report of the Municipal Manager, a motion to convene an executive session to discuss imminent litigation and the sale of properties, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person, and to add Item 10 under New Business, a discussion of the Zoning Code.

RESIDENTS TO ADDRESS COUNCIL - None

REPORTS OF VILLAGE OFFICIALS

Law Director – Lisa Rammes – No report.

Clerk of Council – Kathryn L. Lives

- The August 2012 Community Calendar and Ordinance No. 2012-37-S&S were posted as required.
- Cancellation of the August 20, 2012 Laws and Rules Committee meeting and notices of the August 23, 2012 Finance/Audit Committee meeting and August 29, 2012 Charter Revision Committee meeting were also posted as required.

Chief of Police – Thomas Doyle

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

Fire Chief – Anthony Spaeth

- Activity for the month of August – 22 EMS and 18 fire for a total of 40 runs.

- Reminded residents that hydrants require a ten-foot radius clearance; no bushes, trees, vehicles, trash containers, etc. are permitted in this radius. Hydrants will be serviced during the month of September.
- On October 5, 2012, 6:00-9:00 p.m., a Craft Show will be held at the Baptist Church, corner of Winton and Sharon Roads, to benefit the Fire Department. This will also serve as kick-off to *Fire Prevention Week*.
- On October 9, 2012, a fundraising event will be held by City Barbeque in Blue Ash. Twenty-five percent of purchases will be donated to the Fire Department; a flyer, which is available at the Fire Department, Fire Department website, and Village Hall, must accompany all purchases, dine in or carry out.
- Beginning Monday, September 4, 2012 and continuing through the remainder of the year, the EMT's will be in training for re-certification. Hence, no September 11 memorial service is scheduled.

At 7:11 p.m., Mr. Hermes moved, seconded by Mr. Adams, to convene an executive session to discuss imminent litigation and the sale of properties, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person. Voting as follows: "Aye" – Adams, Drees, Halter, Hermes, Waltherr and Wolterman; "No" – none. Motion carried 6-0 by roll call vote. At 8:15 p.m. and after stating no official action was taken during the executive session, Mr. Wolterman moved to adjourn, seconded by Mr. Hermes. Motion carried by voice vote.

Municipal Manager – Evonne Kovach

- Destiny's Catering at Molloy's on the Green will host an evening Open House on November 13, 2012.
- The Winton Road and Eswin Street project will start the week of September 10, 2012.
- The repaving of Andover and Cromwell will begin within the next two weeks.
- A second round of funding for the Emerald Ash Borer project has been received for tree removal and planting throughout the Village.
- The National Park Service will visit the Village on September 25-27, 2012.
- Mrs. Waltherr indicated she and her husband recently hosted an event at Molloy's and the facility and experience was wonderful.

Mayor – Acting Mayor Glenn Drees

- Stated the last Concert on the Commons for the season is scheduled for September 5, 2012. Complimented Mr. Jim Miller for planning and coordinating these privately funded events; donations for the 2013 season are now being accepted.
- Audited Court receipts for August 2013 are not available at this time.
- The Charter Review Commission met on August 29, 2012.
- The Greenhills Community Service Organization, a small, quiet group, is active in the Village to assist residents in need. A fundraising golf outing is planned for Saturday, September 8, 2012; further information is available by contacting Mr. Drees.
- Council has been invited to participate in the Winton Woods High School homecoming parade on September 21, 2012; Mr. Drees will coordinate Council's participation in this event.

- The Hamilton County Office of Budget and Strategic Initiatives has provided opportunities for citizen input on priorities on the 2013 budget; additional information is available on the Hamilton County website.

COMMITTEE REPORTS

Finance and Audit - Drees

- The Finance and Audit Committee met in August to discuss the refinancing of a general obligation bond in the amount of \$770,000 and to review the budget; ordinances for both items are on the agenda for Council's consideration later in the meeting.

Inter-Governmental Affairs, Laws & Rules - Walther

- The Laws and Rules Committee will meet on September 24, 2012, 9:00 a.m., at the Municipal Building.
- Referenced notification of a lecture on September 10, 2012, 6:30 p.m., from the University of Cincinnati regarding presenting mobility and energy in the middle of urban cities and villages.

Services and Streets - Adams

- Thanked Mr. Wolterman for the reminder to check the municipality when renewing automobile license plates, and noted his was incorrect and an adjustment was made to indicate the Village of Greenhills.
- The Winton Woods School District requests feedback on a possible tax levy for new facilities; requested placement of this item on the next work session agenda.

Community Development - Halter

- The Community Day at the Pool, scheduled for Saturday, September 1, 2012, was cancelled due to inclement weather.
- Urged residents to visit the updated The Community Development Committee website.
- The Design and Beautification Committee will meet on September 6, 2012, 7:00 p.m., Municipal Building. Residents are welcome to attend with ideas and suggestions. As a result of the committee's work, several signs within the community have been enhanced.

Traffic and Safety - Wolterman

- Traffic and Safety recently met to discuss school signage.
- Reminded all residents to indicate Greenhills on the form when renewing motor vehicle license plates.

Recreation and Cable Television - Hermes

- The Recreation Committee recently met to discuss the playground near Molloy's. The next meeting is scheduled for September 19, 2012 to discuss future projects.

- Mr. Adams called attention to the tennis courts near the swimming pool and suggested using the space for alternative recreational activities. Mr. Hermes indicated he will bring this matter to the attention of the Recreation Committee.

NEW BUSINESS

1. ORDINANCE NO. 2012-38-CD

Authorizing the Municipal Manager to Execute a Purchase Agreement for the Sale of Real Property Located at 10-12-14 Cromwell 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 in its entirety. Motion carried by voice vote.

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

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

Mr. Halter moved, seconded by Mr. Wolterman, to amend Ordinance No. 2012-38-CD in Section 3 as follows:

Section 3: That a portion of the proceeds from the sale of 10-12-14 Cromwell in the amount of \$55,000, SUBJECT TO ADJUSTMENTS BASED UPON THE CLOSING PROCEEDS REALIZED, shall be deposited to the Non-voted Debt Retirement Account.

Kovach – This ordinance authorizes the sale of this property for \$70,000; it is a cash transaction and there are no contingencies associated with it. The \$55,000 inserted in the ordinance represents the amount that will be deposited into the Non-voted Debt Retirement Account to pay down the principal. The remainder of the funds will be used to cover and recover other associated expenses, including taxes, insurance fees, etc. The actual scheduled loan payment will be paid from the General Fund. The buyers desire to close as soon as possible; hence, the need for the emergency clause. Motion to amend carried by voice vote.

Voting on main motion as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman; “No” – None.

Ordinance No. 2012-38-CD adopted 6-0 by roll call vote.

2. ORDINANCE NO. 2012-39-CD

Authorizing the Municipal Manager to Execute a Purchase Agreement for the Sale of Real Property Located at 30-40 Flanders and Declaring an Emergency

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

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

Mr. Halter moved, seconded by Mr. Wolterman, to amend Ordinance No. 2012-39-CD, Section 3, as follows:

Section 3. That a portion of the proceeds from the sale of 30-40 Flanders in the amount of \$95,000, SUBJECT TO ADJUSTMENTS BASED UPON THE CLOSING PROCEEDS REALIZED, shall be deposited to the Non-voted Debt Retirement Account. Motion carried by voice vote.

Kovach – The purchase price for this property is \$115,000, with 30% down and 70% financing for the buyer. The \$95,000 represents the amount to pay down the Non-voted Debt Retirement Account, less closing fees, taxes and costs.

Voting on main motion as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman; “No” – None.

Ordinance No. 2012-39-CD adopted 6-0 by roll call vote.

3. ORDINANCE NO. 2012-40-CD

Authorizing the Municipal Manager to Enter Into a Settlement and Release Agreement with S.J.S. Catering

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

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

Kovach – This is the final piece of the lease agreement for the Molloy’s banquet facility; it involves the liquor license permit transfer to the Village of Greenhills.

Rammes – This legislation completes the transaction of the liquor permit and releases a settlement agreement with all parties involved. It will enable a prompt response to the Division of Liquor Control for the transfer from the current permit holder to the Village of Greenhills. She requested the amendment to insert the emergency clause in the ordinance to provide for a prompt response to the Division of Liquor Control.

Voting on main motion as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman; “No” – None.

Ordinance No. 2012-40-CD adopted 6-0 by roll call vote.

4. ORDINANCE NO. 2012-41-F

Ordinance Making Supplement Appropriations

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

Kovach – This ordinance moves money within funds. There are no significant issues with the transfers and no new dollars appropriated.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman; “No” – None.

Ordinance No. 2012-41-F adopted 6-0 by roll call vote.

5. ORDINANCE NO. 2012-42-F

An Ordinance Providing for the Issuance of Real Property Acquisition General Obligation Refunding Bonds in a Principal Amount not to Exceed \$770,000, by the Village of Greenhills, Ohio, for the Purpose of Refunding Previously Issued Unvoted General Obligation Real Property Acquisition Bonds, Series 2002, the Original Proceeds of Which were Used to Provide Real Property Acquisitions Within the Village of Greenhills, Ohio, and Declaring an Emergency

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

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

Kovach – The savings realized by this action is \$137,702.20; the payment on the new bond is due on December 1, 2012.

Drees – The relationship with financial institutions who wish to lend money to the Village on a refinancing basis include no extension of the length of the term, a lower interest rate and no closing costs. In this instance, the savings will be approximately \$50,000 for the year; the bond interest rate is 5%. The Village will continue to review all debt as it becomes available for refinancing to reduce the rate with no extension of the term. Along with being good stewards of the public funds, this also frees up borrowing capabilities in the future, if needed.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman;
“No” – None.

Ordinance No. 2012-42-F adopted 6-0 by roll call vote.

6. ORDINANCE NO. 2012-43-S&S

Ordinance Authorizing Assessments on Certain Properties in the Village of Greenhills and Declaring an Emergency

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

Adams – the reason for the emergency clause is to meet the filing deadline for assessments set by Hamilton County.

Motion carried by voice vote.

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

Adams – This ordinance allows for the removal of vegetation, refuse, garbage and/or debris from properties throughout the Village in violation and places a lien on the subject properties.

In answer to a question raised by Mrs. Waltherr, Ms. Kovach explained the violation notice process and the time permitted for compliance.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman;
“No” – None.

Ordinance No. 2012-43-S&S adopted 6-0 by roll call vote.

7. ORDINANCE NO. 2012-44-F

Ordinance Ratifying the Actions of the Municipal Manager and Authorizing the Municipal Manager to Execute Multiple Rate Agreements with Village Employees who Work Multiple Job Assignments

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 moved to adopt, seconded by Mr. Wolterman.

Kovach – This ordinance addresses the mutual rate agreement for two Village employees and ratifies the actions of the Municipal Manager early this year when the employees were asked to perform different work assignments that carried different salaries, some at

a lower rate. The employees agreed to these rates prior to the start of the summer season and were paid these rates accordingly.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman; “No” – None.

Ordinance No. 2012-44-F adopted 6-0 by roll call vote.

8. ORDINANCE NO. 2012-45-T&S

Declaring Certain Village Property as Surplus Property and Authorizing the Municipal Manager to Properly Dispose of Said Property

Mr. Wolterman moved, second by Mr. Hermes, 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. Wolterman moved to adopt, seconded by Mr. Hermes.

Kovach – There is some Village property that is no longer needed for Village purposes, and this ordinance declares this property as surplus which is necessary pursuant to State law. The items will be sold on the Hamilton County website with several items expected to bring over \$1,000. The items for sale are an old Police vehicle, a copy machine, a dump truck and a phone system box. Notice of the auction will be posted on the Village of Greenhills website.

Voting as follows: “Aye” – Adams, Drees, Halter, Hermes, Waltherr and Wolterman; “No” – None.

Ordinance No. 2012-45-T&S adopted 6-0 by roll call vote.

9. Discussion of the Zoning Code

A discussion ensued among members of Council for informational and clarification purposes regarding the proposed amendments to the Zoning Code.

CALENDAR

Design and Beautification Committee meeting, September 6, 2012, 7:00 p.m.,
Greenhills Historical Society Museum

Zoning Code Public Hearing, September 12, 2012, 7:00 p.m., Municipal Building

Council Work Session, September 18, 2012, 7:00 p.m., Municipal Building

Recreation Commission meeting, September 19, 2012, 8:00 p.m.

Winton Woods High School Homecoming Parade, September 21, 2012

Laws and Rules Committee meeting, September 24, 2012, 9:00 a.m., Municipal Building

Zoning Code Public Hearing, September 26, 2012, 7:00 p.m., Municipal Building

Craft Show (benefiting the Fire Department), October 5, 2012, 6:00-10:00 p.m., Baptist Church,
corner of Winton and Sharon Roads

City Barbeque fundraiser (benefiting the Fire Department), October 9, 2012, City Barbeque in
Blue Ash, **flyer must be presented at time of order to receive credit for the sale**

With no further business forthcoming, the meeting adjourned at 10:05 p.m.

Glenn Drees, VICE MAYOR /s/

Kathryn L. Lives, CLERK OF COUNCIL /s/