

December 14, 2010

## COUNCIL MEETING

New Richmond Village Council met in Council Chambers in regular session on Tuesday, December 14, 2010 at 7pm. Present: Richard Hilt, Gary Skeene, Richard Matthews, Nicholas Wolf, Jack Conners and Vinnie Cochran - members; Ramona Carr, Mayor; Donna Hammons, Clerk; Mark Baird, Fire/EMS Chief; and David Kennedy, Village Administrator.

Those in attendance:

Bob Beiser – 2740 St. Rt. 132

Tonya Brooks – Clermont Sun

William Knepp – 826 St. Rt. 131, Apt. #33, Milford, Ohio

Bob Lees – 1515 Indian Ridge Trail

Frank Renn – 2928 Mt. Pisgah Road

Judy Bandy – 208 Front Street

Bill Marsh – 2423 Country Place

Rick & Margie Hinson – 1042 Old U.S. 52

## PUBLIC HEARING

### ZONING AMENDMENT – SIDEWALK CAFÉ

Dave Kennedy explained the updating of this section of the Zoning Ordinance.

Bob Lees asked that council reconsider the seasonal restriction of April 1st to November 1st; the use of amplified music and the time of day permitted for music.

There being no further questions or comments, the Public Hearing was closed.

Mayor Carr opened the meeting with the Pledge of Allegiance.

Minutes of November 23rd were presented for approval. Wolf mentioned that on page 490 there are two typos: paragraph #1 should read \$147,889 and the word 'be' should be included in last paragraph of the same page. Cochran mentioned that there should be more commentary in the minutes about the possibility of forming a New Richmond Township. Wolf motioned to approve the minutes as amended. Seconded by Cochran. Wolf mentioned that on page

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: abstain - absent Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

William Knepp, Town Crier:

He said it has been a pleasure being the Town Crier of such a progressive village. Knepp gave officials a lapel pin commemorating the Freedom Bell courtesy of Verdin Bell Company.

Frank Renn, Ohio Township Trustee:

Thank you Council for the opportunity to address Council. My main reason, and I say I will keep it brief and I will keep it brief. I talked with Mayor Carr some days ago about setting up a meeting where Village Council as well as the Trustees of Ohio and Pierce Townships could sit down and discuss the proposal for the paper township. We have a lot of questions. We've been asked a lot of questions I don't have the answers for and I hope we can be address those questions and I guess one of two things: either try to persuade you to withdraw that proposal or convince us this is the best thing for all the people of New Richmond and Ohio Township. That's really. I'm just trying to get that meeting set up.

And that's why I'm here.

MAYOR CARR – We'll have to look at some dates, Frank.

RENN – Sure. I'm very flexible. When you get some dates together just get back to me.

MAYOR CARR – We'll get some dates together and I'll email you.

RENN – Thank you.

COCHRAN – Thanks very much, Frank.

Margie Hinson, resident:

It's on the proposal also. I've looked on the website and under the Council Public Records, is that where I'm going to find the minutes from all your meetings? Is that full minutes from the meetings? Because I could not find when this proposal was first discussed publically at your meetings.

HAMMONS – The 23rd of November.

HINSON – Last week?

WOLF – Last week.

SKEENE – Two weeks ago.

HINSON – That was the first time anyone knew about this?

MATHEWS – Other than the proposal for the survey. Other than the meeting for the survey. That was brought up at a meeting two meetings before that.

HINSON – Alright. So then I will ask the other council members did you know the reason for the purpose of the survey?

WOLF – Yes.

COCHRAN – Well, there's multiple reasons. But yes, that was included in it.

HINSON – So then it was discussed prior. But you did have knowledge what the whole thing so going for.

COCHRAN – It was not discussed as a, there was, they discussed it that the township portion of it they discussed it at their meetings. Public Works discussed the survey in Public Works regarding, because we needed the same survey

HINSON – Okay.

COCHRAN – for the sewer line proposal for Indian Ridge and parts of Robin Hill. So there's more than one reason the survey can be used.

HINSON – Okay, that's fine. Because I kept looking for it because it was my understanding that this was known before last month, before the November 23rd meeting.

WOLF – Let me make a couple comments on that. You're right. As individuals I had talked to Jack at McDonald's one morning briefly a little bit about it.

HINSON – Okay.

WOLF – Rich Mathews and I go to lunch every day, I won't say everyday, but two or three times a week.

HINSON – Right. Right.

WOLF – We had discussed it. And until the November 23rd meeting there was questions as to who would be for it. Who would be against it. What were some of the ramifications that we had found out.

HINSON – Okay.

WOLF – And consequently. Myself, speak for me. I didn't know it was going to pass for sure at or not at the 23rd meeting. And at that meeting, and Vinnie asked tonight for more of the discussion to be in the minutes, because he had several questions and we discussed several portions of it. I think the one thing I want to make very, very clear and I think I am speaking for everybody here. This is not a personal attack or anything against Rick or Frank or Ray. Those gentlemen do an excellent job.

HINSON – Then my next question to Council is why did you not contact the township before this proposal?

WOLF – My answer there is because I didn't know if it was going to pass or not.

HINSON – Okay.

COCHRAN – You can get a copy of the tape.

HINSON – Okay.

COCHRAN - From the 23rd, November 23rd meeting.

HINSON – Okay. Alright. I think I....

COCHRAN – There's a lot of things on that tape that explain a lot of things.

HINSON – That will answer a lot of questions. Okay. Thank you. There were just a lot of things that were kinda...

COCHRAN – And like I said Nick mentioned the minutes of this are just a brief. But there was 40 minutes, 30 minutes of discussion.

HINSON – So the minutes that are on the website are just like a briefing.

COCHRAN – Right. Right. Donna pulls them from the tape or she takes shorthand. But that's why we tape everything. It's available.

WOLF – Do you want a copy of the minutes. Here's my copy you can have.

HINSON – I'll give them back to you.

WOLF – Well you can have it. But I'll just show you the only thing on there about this

HINSON – This is like you print up in the....

WOLF – Yea.

COCHRAN - The tape will answer a lot of your questions.

HINSON – Okay. Thank you.

RENN – I wasn't at the 23rd meeting, but it just so happened I was at the meeting where the survey was brought up. And I remember quite clearly at that meeting it was brought up they needed to do a survey, they hadn't had a survey for a long time. They'd had property annexed into the village. But there was no mention of forming a paper township at that meeting. But the reason for being is because they hadn't had a survey for a long time. I don't even remember anything about the sewers at that time in that meeting. We probably got minutes of that. But I remember quite clearly and it was the motion was made and it was seconded. There was no discussion at that time and it was passed. So I recall it. I think I recall it very clearly. But I want to do something else. I want to make sure we keep whatever we do on a very positive nature. You felt no need to contact the township; I have no problem with that. I just, from this point forward I'd like it to be a positive.

COCHRAN – The meeting you are speaking of, again there's a tape for that too.

RENN – Yes, I know.

COCHRAN - If I would have mentioned the fact about the sewer or something that would have been in my Public Works report.

RENN – Right, I understand that.

COCHRAN – Which would be on that tape as well.

RENN – I just meant if you said something in the Public Works thing I don't remember the connection being made between the survey and sewer thing. Okay?

COCHRAN – The survey. There are multiple uses for the survey.

RENN – I understand. This looks like this was a pretty good one. From what I understand this was needed to take to the auditor's office in order. You needed that survey to present this proposal.

COCHRAN – And we also need it for some engineering as well. There are multiple uses for that piece of information.

RENN – No problem. Thank you.

COCHRAN – New streets will be on it. Things like that.

RENN – I just wanted to be sure we understood...

COCHRAN – That is not the sole reason for the survey.

RENN – I just wanted to make sure that the fact that the paper township was not mentioned at the time they was talking about doing the survey.

COCHRAN – I don't remember and Donna will get...whatever was said will be on that tape.

WOLF – It was not mentioned at the time of the survey. In fact you and I discussed the survey the next morning at McDonald's.

RENN – Yes, we did.

WOLF - And I told you we wanting a perimeter survey because at that time that was the sole purpose of it. And then shortly thereafter, I believe it was, we got to talking about this paper township and since we're having the survey done....

RENN – Well that was done. When would you say, eight weeks ago when you did the survey?

WOLF – August I think. July? August?

MAYOR CARR – It was back in the summer.

RENN – It had to be close to fall.

MAYOR CARR – Frank asked about the discussion of the township. There was not an ordinance presented to council until that night.

RENN – The 23rd?

WOLF – The 23rd.

MAYOR CARR – The 23rd.

David Kennedy, Village Administrator:

Utility Laborer, Norm Collins, will complete his six-month probation on December 24th. Kennedy requests Collins be removed from probation and his salary be increased to \$10.50 per hour effective

December 24th. Hilt motioned to approve. Seconded by Cochran.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Major amendments to the Zoning Ordinance are currently being reviewed by the Planning Commission. These reviews are extensive and we are likely looking at many months before they are in effect. We have identified a need to add minimum landscaping requirements in conjunction with the new single-family residential structures being constructed within the village. Kennedy asked Council to present to the Planning Commission a zoning text amendment about landscaping requirements. Hilt motioned to suspend the three reading rule. Seconded by Skeene.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Hilt motioned to adopt RESOLUTION 2010-34 TO INITIATE A ZONING TEXT AMENDMENT REQUIRING MINIMUM LANDSCAPING REQUIREMENTS. Seconded by Mathews.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

FIRST READING OF RESOLUTION 2010-33 AUTHORIZING THE VILLAGE ADMINISTRATOR TO SUBMIT A NATUREWORKS APPLICATION FOR THE ROSE VESPER PARK LIGHTING PROJECT

The November Utility Connection report was resented to council. Cochran motioned to approve.

Seconded by Hilt.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Appropriation amendments are required. Hilt motioned to suspend the three reading rule. Seconded by Skeene.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Hilt motioned to adopt ORDINANCE 2010-40 AMENDING THE 2010 APPROPRIATIONS AND DECLARING AN EMERGENCY. Seconded by Skeene.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

2011 Equipment Rates were submitted for approval. Wolf motioned to suspend the three reading rule. Seconded by Mathews.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Wolf motioned to adopt ORDINANCE 2010-41 ESTABLISHING EMPLOYEE AND EQUIPMENT OUTSIDE SERVICE RATES. Seconded by Hilt.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

The 2011 temporary appropriations are ready for approval. Hilt motioned to suspend the three reading rule. Seconded by Cochran.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Hilt motioned to adopt ORDINANCE 2010-42 APPROVING THE 2011 TEMPORARY APPROPRIATIONS AND DECLARING AN EMERGENCY. Seconded by Cochran.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

FIRST READING OF ORDINANCE 2010-43 AMENDING THE ZONING ORDINANCE – SECTION SIDEWALK CAFÉ

Mark Baird, Fire/EMS Chief:

Baird reminded Council we are approaching the application period for the 2011 Port Security Grant

Program. A decision is needed whether to again apply for a grant of \$250,000 to \$275,000 for a replacement fire/rescue boat. There was discussion about the pros and cons. Wolf wondered about the benefits for the residents. Mathews mentioned that even though the boat would be paid for by Homeland Security money this would create a perception issue. Cochran isn't sure we really need it.

He pointed out the collection rate for EMS details is 30% to 35%. We bill out about \$300,000 a year and we collect about \$100,000 a year.

Asked Council to set fees for EMS services. Hilt motioned to suspend the three reading rule. Seconded by Skeene.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Hilt motioned to adopt ORDINANCE 2010-43 ADOPTING FEES FOR EMERGENCY MEDICAL SERVICES PROVIDED BY THE VILLAGE RESCINDING ORDINANCE 2008-37 AND DECLARING AN EMERGENCY. Seconded by Skeene.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Baird asked Council to reclassify Fire and EMS volunteers to Paid-Per-Call retroactive to December 1, 2010. Wolf motioned to approve. Seconded by Cochran.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Wolf motioned to set the reimbursement rate for Paid-Per-Call for Fire and EMS details as \$25.00 per detail for emergency medical services details where the PPC employee is scheduled as one of the two essential ambulance employees on-duty. \$15.00 per detail for all other details. Effective December 1, 2010.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Baird presented the resignations of part-time EMT-paramedic Teresa Bender, part-time firefighterII/EMT-paramedic Craig Wright and volunteer firefighterII/EMT-basic Robert Lanham. These resignations take effect on January 1, 2011. Hilt motioned to approve. Seconded by Cochran.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Appoint the following to the Volunteer Firefighters' Dependant Fund Board for 2011:

Councilman Richard Hilt, Chairperson; Mayor Ramona Carr, Secretary; Assistant Chief Scott Wolf; Assistant Chief Richard Feldkamp; Mary Allen, village resident. Hilt motioned to approve. Seconded by Mathews.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Mayor Carr reported that Chief Harvey is close to an arrest for the BP robbery.

Richard Hilt, Finance/Personnel Committee:

Chief Harvey is beginning to do personnel evaluations.

Mayor Carr and Chief Harvey have interviewed attorneys for the position of Prosecutor in Mayor's Court. They are recommending David Daugherty, \$125 per hour in-court services, \$50 per hour other duties. No travel time. Effective January 1, 2011. Hilt motioned to approve. Seconded by Mathews.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Fiscal Officer Baird has reported all funds in the black with small carryovers.

Hilt motioned to pay bills #32973 to #33024. Seconded by Skeene.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Vinnie Cochran, Public Works/Parks/Recreation Committee:

Jim Moriarity is interested in a rehab grant for windows in the Springer House. Committee is awaiting application.

Nicholas Wolf, Events Committee:

The different committees deserve plenty of compliments for the events they put on the past three

weekends.

Mayor Carr mentioned that the band was from Holmes High School in Covington, Kentucky. They really enjoyed being here, even in the rain.

CALL OF MEMBERS:

Cochran – Nothing to report.

Conners – Nothing to report.

Wolf – Nothing to report.

Mathews – The only thing I have and it's going to be brief is that the week after the ordinance for forming our own township was passed we received a call from Dave Elmer, Pierce Township wanting us to meet with him and Trustee Conrad. At that time Nick and I were the only two that were available. We did go up to Pierce Township and meet with them for about an hour and had a real opinion conversation. The bottom for the whole reason for being there was their desire for us to reconsider the ordinance and/or to remove Pierce Township completely from the township issue. We talked with about it and we thought that probably was not a good idea, but we promised them we would bring it up in the next Council meeting. Since then we have received a letter from Pierce Township making that kind of statement along with a few other concerns that they had. One of our issues was that if we start chopping away at the issue then certainly Ohio Township would want to omit an area and then we are in a big issue of what do we leave in and what do we leave out. Nick and I both came to the conclusion that the wrong thing to do would be to leave anything out of the village limits, no matter if it's a residential area or a business area. Because of the concern of property taxes. If you start leaving out IGA and Angilo's Pizza and different things like that; they have same budget crunch that residents have in the village. Just because 1/6th of Duke Energy's plant at Beckjord is in the village, I don't necessarily believe that should be considered to be omitted from this proposal. That is kind of in essence what we talked about. I'm sure if we have a meeting with the Trustees from Ohio and Pierce together we can go over those issues again if they need to be discussed. But I feel at this point we have passed the ordinance. The ordinance is in front of the Commissioners in a petition. And that we should, in my opinion, leave it as it is.

WOLF – I would also like to comment. The meeting with Dave Elmer, their Administrator and the Chairman was very, very cordial, understanding. Their whole argument is that with Ohio Township we are saving our taxpayers money. Property owners. In Pierce Township the only taxpayer is Duke Energy. And by us doing this Pierce Township will loose approximately \$15,000. New Richmond doesn't gain \$15,000. We're saving Duke Energy money. Now in the village they can understand why we're saving Mr. & Mrs. Property Owner money. But why do we want to save Duke Energy money. And Rich explained his opinion was cutting it up and mine was slightly different. Mine was, yes today we do not have any territory in Pierce Township or Monroe Township. Monroe is concerned, too – What are you guys going to do with us? The answer is nothing. But what about five years, ten years, fifteen years out into the future. If the village sewer system continues to be a major factor in annexations, there may be somebody on Pond Run Road that wants to be annexed into the village. The

old Haussermann estate for example. Or up Pond Run Road. And at that time we would have village residents in Pierce Township. So my comments were, that well cutting it up is one thing, but I don't want to bind future council members, because if somebody did want to annex that that would be a possibility. So those were the two things we did come up with, Rich told them and I agreed, we would bring it up and here if any you have any comments or feelings on the issue. Rich is going to call them tomorrow and tell them the results of our discussion here tonight. So I guess it's up to some of the rest of you whether you have comments or any feelings on that.

MAYOR CARR – I think if we're going to have a meeting with them I don't see a need for there to be any discussion tonight if we're going to meet with Pierce and Ohio Township. That's my opinion. Our next regular Council meeting is on the 28th of December. The first one in January will be on the 11th. So maybe we could meet sometime the first week of January. Does anybody have thoughts on that or do they want to get back with me so I can let Frank....

COCHRAN – We're having a second December meeting?

MAYOR CARR – Yes, the 28th.

COCHRAN – We are?

MAYOR CARR – Yes. We usually have to have a cleanup meeting if we don't.

COCHRAN – We could make it part of that meeting, can't we? Rather have another meeting. Just make it a longer meeting of course.

MAYOR CARR – That's up to everyone.

WOLF – Frank would that be a, if all three of you come, that's a public meeting for you too, then?

RENN – I'm not sure on Pierce. I think they meet on the same night. I don't know if they meet twice a month.

MAYOR CARR – That's why I suggested the first week of January. What about Monday, January 3rd.? Let's plan on the 3rd at 7pm.

Mayor Carr appointed the following:

Board of Zoning Appeals – Michael Kinne – term expires 12/31/15

Planning Commission – Tony Seiwert – term expires 12/31/13

Board of Housing Appeals – Michael Kinne – term expires 12/31/15

Landmark Commission – Rick Hilt – term expires 12/31/15

Landmark Commission Ad Hoc – Edna Burns – term expires 12/31/13

Parks & Recreation Commission/School Rep – Lisa Grever – term expires 12/31/15

Home Repair Program Board – Mike Mrozek – term expires 12/31/12

Shade Tree Commission – John Baird – term expires 12/31/15

Community Reinvestment Area Council – Wendy Ballard – term expires 12/31/13

Community Reinvestment Area Council – Richard Mathews – term expires 12/31//13

Community Reinvestment Area Council – Jeanne Hilt – term expires 12/31/13

Skeene motioned to adjourn. Seconded by Hilt.

Mr. Hilt: yes Mr. Wolf: yes

Mr. Skeene: yes Mr. Conners: yes

Mr. Mathews: yes Mr. Cochran: yes

Meeting adjourned at 8:38pm.

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Mayor Clerk of Council