

**MT. HEALTHY CITY COUNCIL MEETING
JULY 17, 2007 at 7:00 P.M.**

The meeting was called to order by President Sylvia L. Lawson at 7:00 P.M. The invocation was given by Mr. Cook and followed by the Pledge of Allegiance.

ROLL CALL:

Mr. Cook, Mr. Lombardo, Mrs. Lingo, Mr. DeBruler, Mr. Roetting, and Mr. Wolf. A motion to excuse Mrs. Moody was made by Mr. Lombardo and seconded by Mr. DeBruler. An aye vote carried the motion.

ALSO IN ATTENDANCE:

Auditor Jill Claire, Safety Service Director Bill Kocher, Mayor George Rouse, Treasurer Deb Schaefer, and Law Director Steve Wolf.

MINUTES:

The name of the Council member who seconded the motion to adopt Ordinance 07-1507 was not recorded in the minutes. Mrs. Moody later stated that she had seconded that motion and the minutes were so amended. President Lawson directed the clerk not to use bold type for the names or topics of citizens addressing Council. A motion to adopt the minutes of the June 19 Council meeting as corrected was made by Mr. Cook and seconded by Mr. Lombardo. An aye vote carried the motion.

CORRESPONDENCE:

President Lawson commented that the city's summer event calendar is very well done and listed the events on it. This calendar is available in City Hall and on the city's web site.

July

Bingo, Wednesday the 25th

Benefit dance with Stuck in Time for the Hayes foundation 7-10 P.M., Saturday the 28th

August

Bingo, Wednesday the 8th

Cookout at the pool, 5-7 P.M. Saturday the 18th

Bluegrass concert, 7-10 P.M. in the park gazebo Friday the 24th

September

Car show, live music, Police and Fire benefit dance, Saturday the 15th. Registration is 9-12, \$10 per entry. Show is from noon to 12 PM in the city park.

October

Pumpkin patch in the park, Saturday the 20th

On September 3, Arlington Memorial Gardens will hold their annual Patriots Day parade. Business people are invited to decorate their vehicles and advertise, but no political signs are permitted. Council is invited to participate, and will do so.

COMMITTEE REPORTS:

The Finance Committee met this evening with the Safety Service Director, who will provide details in his report.

The Parks Committee reported that 7 people attended the first bingo session, then 20 at the second and 26 at the third.

MAYOR'S REPORT: None.

SAFETY SERVICE DIRECTOR'S REPORT:

There is no ordinance about health insurance for Council's consideration tonight since the city will likely renew our existing coverage. Mr. Kocher is working to shift the renewal date to January to fit with insurance carriers' usual cycles. We budgeted for a 10% increase in health insurance costs and it looks like the actual increase will be 10.78%. The DARE grant application just came in today; it will be presented for Council's approval at the next meeting.

The Freon removal program is underway. The city received a grant to purchase equipment and pay for training, which took a while to arrange. We have arranged to have the empty appliances recycled, since the grant was for projects to divert waste from the landfill. We will report the weight of scrap recycled.

The fireworks on July 3 went well. The city and business association each had a net profit of about \$100 and the fireworks were spectacular. The city sent an invoice to Wells Fargo for the house demolition at 7373 Werner. It looks like they will pay the invoice and Mt. Healthy will not need to put a lien on the property. If they do not, we will begin the lien process at the August meeting.

The city is working on a five-year plan for street projects. In recent years we have mostly undertaken grinding and overlay projects funded primarily by the street levy and in the \$120,000 to \$140,000 range. For next year, we are looking at combined street levy and municipal road funds for some work on Clovernook, and the engineering phase of more extensive work on Werner and Maple. The engineering must be completed in order to apply for SCIP funding.

LAW DIRECTOR'S REPORT: None.

AUDITOR'S REPORT:

June month end reports are in the packets. The audit team is wrapping up the 2005-06 annual audit and the 2006 GAAP report is done although not final yet. There are two ordinances tonight, one amending the appropriations ordinance and cutting back on some of the transfers we intend to make, and another implementing those transfers.

TREASURER'S REPORT:

The June bank reconciliation is in the packets. Ms. Schaefer stated that she balances with the Auditor's office and with the bank for the month of June.

CITIZENS/GUESTS/SPECIAL PRESENTATIONS:

Scott Box addressed Council about a business parking its hearses on the street. Would the city ask them to park in back? Isn't there a requirement that commercial vehicles not be parked on the street longer than 24 hours? Also, they have recently purchased a couple of houses and are

using them for storage. Are they zoned for this use? Mr. Steve Wolf said that the area (from Perry to Hastings) is zoned for commercial use. Mr. Kocher commented that the property in question is not zoned for parking, so the business would need a conditional use exemption. The building inspector has been discussing this with them. Mr. Kocher will look into this.

John Swartz addressed Council about the property maintenance code. Since Council has recently affirmed the importance of this code and compliance with it, Mr. Swartz asked Council to direct the city administration to undertake a systematic project to identify and correct all violations of this code on city property within 6 months. Mr. Swartz asked that the administration report on the progress of this project in Council meetings, and he also asked that if Council does not so direct the administration, that Council members explain their reasoning behind this decision. Mr. Roetting asked for specific examples of city property that do not meet the code. Mr. Swartz said that he has not done a systematic study but mentioned a lot of grass in the city parking lot on Perry and a rusted sign for that parking lot, peeling paint outside the fire department, and the Welcome to Mt. Healthy signs that are not in good repair.

Nick Stenger addressed Council about the parking ticket he received during a snow emergency last winter. When this case went to court, the Mt. Healthy prosecutor withdrew the case. This meant that Mr. Stenger did not have the opportunity to present the material he had gathered so he presented it tonight instead. Mt. Healthy's ordinance, dated 12-16-97, says, in part, "the Mayor or his designated representative may declare a snow emergency when snow, sleet, freezing rain, or other weather conditions cause or appear likely to cause, in the judgment of the Mayor or his designated representative, slippery or hazardous conditions which might lead to serious congestion or hazard." Mr. Stenger pointed out that the ordinance doesn't say anything about weather predictions and that on the day he received this parking ticket, there were no bad weather or hazardous conditions at 5:30, when the snow emergency went into effect. How should Mr. Stenger have known there was a snow emergency in effect? Mayor Rouse said that it was announced on all three channels and on the radio and that Mt. Healthy does not have time to knock on everyone's door to tell them. Mr. Stenger said that "constructive service" of a ticket requires that it be left in a conspicuous place, and that under a blanket of snow is not conspicuous.

ORDINANCES:

Ordinance **07-1508** An Ordinance to Transfer Funds from the General Fund to Other Funds Covering Budgeted Expenditures and Declaring an Emergency

This ordinance received its first reading. Ms. Claire said that our annual appropriations ordinance includes transfers of money from the General Fund to other funds, but we have had to cut back on some of those transfers. This ordinance implements those changes. Another ordinance like this may be needed later in the year, depending on conditions. A motion to suspend the Three Reading Rule was made by Mr. Wolf and seconded by Mrs. Lingo. A motion to adopt this ordinance was made by Mr. Roetting and seconded by Mr. Lombardo. A roll call vote carried the motion 6-0, with Mrs. Moody absent.

Ordinance **07-1509** An Ordinance Amending the 2006 Appropriations, and Declaring an Emergency

This ordinance received its first reading. Ms. Claire said that additional items to added since the previous version of the ordinance are shaded. A motion to suspend the Three Reading Rule was made by Mr. Cook and seconded by Mr. Roetting. A motion to adopt this ordinance was made by Mrs. Lingo and seconded by Mr. Lombardo. A roll call vote carried the motion 6-0, with Mrs. Moody absent.

RESOLUTIONS:

Resolution **07-959** A Resolution Approving the Proposed Agreement Between the City of Mt. Healthy and the Mt. Healthy Police Association, Representing the Mt. Healthy Police Officers, and Declaring an Emergency.

This resolution received its first reading. Mr. Kocher said this agreement was discussed in the executive session last meeting. It expired on July 1, so this renewal is timely. It covers the full time officers, although part time officers' compensation is tied to this contract. A motion to suspend the Three Reading Rule was made by Mr. Wolf and seconded by Mr. Lombardo. A roll call vote carried the motion, 6-0. A motion to adopt this resolution was made by Mrs. Lingo and seconded by Mr. Cook. A roll call vote carried the motion, 6-0, with Mrs. Moody absent.

OLD BUSINESS: President Lawson noted that the park looks beautiful and invited residents to come enjoy and swim.

NEW BUSINESS:

Mr. Steve Wolf noted a recent Enquirer article about Rusty York and Jewel Recording Studio. Mr. York had a recording in the 1959 top 40, toured Europe, and appeared on American Bandstand, then in the early 1960s he set up the recording studio in Mt. Healthy. Groups that recorded there include the Grateful Dead, Jan and Dean, Ralph Stanley, and Bobby Bare. He still does some touring and his wife runs the studio. Mr. Wolf hopes that the Mt. Healthy Historical society will talk to the folks at Jewel. He has a copy of the article in case anyone would like to see it.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Wolf and seconded by Mr. Lombardo. An aye vote carried the motion, and the meeting was adjourned at 7:41 P.M.

Sylvia L. Lawson, President of Council

Deborah Schaefer, acting Clerk of Council