

**PUBLIC HEARING ON TAX BUDGET,
PUBLIC MEETING ON ELIZABETH STREET, and
MT. HEALTHY CITY COUNCIL MEETING**

JUNE 21, 2005 at 7:00 P.M.

PUBLIC HEARING

The public hearing to discuss the proposed tax budget for 2006 was opened at 7:02 P.M. Auditor Jill Claire said that this budget is the same as for 2005 with minor modifications, that council will need to adopt it, and that it is a preliminary budget and is not a commitment on the part of the city. The appropriation ordinance, which will be prepared and adopted later in the year, is binding.

There were no questions. The hearing was closed at 7:03 P.M.

PUBLIC MEETING

Safety Service Director Bill Kocher said that this is an informal meeting to let residents of the north part of Elizabeth Street know about the plans for resurfacing that part of the street, and to answer any questions.

Funds for the project will become available July 1. The project is estimated to cost about \$400,000, of which \$320,000 comes from Ohio and \$80,000 comes from the Mt. Healthy street levy. At the council meeting later this evening, Mr. Kocher will ask Council for authority to solicit bids on this project. If the bids are way over the estimated project cost we may need to go out for bids again, which could delay the project until the spring, but Mr. Kocher does not expect this to happen. While the street is torn up, the Water Works will install a new water line and new service branches to each house. This could possibly delay the work. No gas or sewer work is planned. The finished street will be 28 feet wide, with curbs and gutters. The trees that will need to be removed have been marked. If there is an existing driveway apron, it will be replaced. They won't replace sidewalks that are in good shape and at the right elevation, since that isn't necessary and raises the cost of the project. Mr. Kocher expects that the work will start around the first of August, and that they will get the curbs and gutters and asphalt base completed this year. In the spring, they will put on the finish coat and do the restoration of grass behind the curbs. Because the street is only 28 feet wide, we will need to put up fire lane signs on the hydrant side. The city is not planning to make Elizabeth Street wider during this project for two reasons: cost, and the fact that this is an existing street with houses fairly close to it. In places there may not be room for a street with parking on both sides and sidewalks.

Tom Bloom asked which end of the street work will start at. Mayor Rouse answered that this is usually decided by drainage issues—they usually start at the low end of the street.

Bill Walborn, Assumption School principal, asked whether the light poles in the street will be moved. They will not. They will actually be behind the curb in an area that will be restored to grass. Mr. Walborn also asked for help in coordinating times that utilities will be off so as to disrupt activities at the school as little as possible. Electricity, gas, and sewer service should not be affected by this project, and he should have at least 24 hours' notice of water outages. Joe Roetting asked whether the gas company has replaced the cast iron/bare steel lines under Elizabeth Street yet. Mr. Stapleton said that there is no plastic on Elizabeth Street yet, and that it is not part of the module that the gas company is currently working on replacing. It could be

fifteen years before the gas company is planning to replace lines on Elizabeth Street. Mr. Roetting will check on this.

Ray Zimmerman asked about downspouts that drain to the curb. It is the homeowners' responsibility to mark anything that drains through the curb or otherwise be sure the contractor knows about them. The contractor will hook up drains that are marked. If your downspouts do not currently drain to the curb but you get them there before the curbs go in and mark them, the contractor will hook them up.

Robert Curley said that he smells gas at the corner of McMakin and Elizabeth on a regular basis, especially in winter. Other people have noticed a gas smell at that corner, especially early in the morning. They have called the gas company several times in the past year but they've never been able to find anything. Mayor Rouse said that the city will make sure the gas company comes out to check this out.

Mr. Curley also commented that there is regularly a long line of cars on Elizabeth Street from school traffic and/or church traffic. The fire lane should help with this. Mr. Curley asked how wide the street would need to be to allow parking on both sides, and how much the additional cost would be to make the street that wide. Mr. Kocher agreed to find out what would be required. A fire truck needs an 18 foot wide lane, and Director of Public Works Preston Stapleton said that the street would need to be 41 feet wide to accommodate a fire truck with parked cars on both sides. Tom Bloom asked if there would be a problem with houses that go right up to the sidewalk. Mr. Kocher answered that the street will actually be somewhat narrower than what is currently there because of the curb. Mr. Stapleton said that there will be two feet of grass between the curb and the sidewalk instead of gravel.

Mr. Curley asked whether the city will allow parking on both sides of the alley while this work is in progress. During parts of the work, people will be able to park on the street, and the city will work with people and do what it takes to make parking work during this project. President Lawson commented that the work on St. Clair went pretty quickly last summer and that although there will be inconvenience and dust, people need to be patient and think about how good the street will look when the project is finished.

Allison Leavitt commented that 90% of the existing trees are marked for removal and asked whether there is a plan to replant trees or if it will be OK for residents to replant trees themselves. Mr. Kocher said that it is fine for residents to plant trees and that he is looking into replacing some of them also. He commented that he had challenged the contractor about whether so many trees really needed to be removed, but we will be removing a lot of the street during this project and that will damage the root structure of the trees, so they need to be removed. Peggy Wellenbrook asked about the timeline for tree removal. They will be one of the first things to go in early August.

Margie Couch introduced herself as the owner of the catastrophe on the corner of McMakin and Elizabeth and said that her house is so far below grade that rain washes into the front porch and then into the storm cellar. She asked what the engineering plans for drainage at that corner are, and whether they will help her situation at all. Elizabeth Street needs to meet up with McMakin there, so its height cannot be changed significantly. Mayor Rouse will look at the drawings and let her know what he can find out about. Mr. Stapleton said that the curbs should help her situation. Janet Curley commented that the storm sewer inlet at McMakin and Elizabeth is

higher than the street—this will be addressed. There was some discussion of whether there would be cleanout drains between the sidewalk and the curb like on south St. Clair. We do not have drains like this in the plans; we should be able to catch the water at the curb so they are not needed.

The public meeting was finished at 7:39 P.M.

COUNCIL MEETING

The City Council Meeting was called to order by President Sylvia Lawson at 7:50 P.M. Mr. Custer gave the invocation, which was followed by the Pledge of Allegiance.

ROLL CALL:

Mr. Cook, Mr. Lombardo, Mrs. Lingo, Mr. DeBruler, Miss Reusch, Mr. Roetting, and Mr. Custer.

ALSO IN ATTENDANCE:

Auditor Jill Claire, Safety Service Director Bill Kocher, Director of Parks John Peters, Mayor George Rouse, Police Chief Al Schaefer, Treasurer Deb Schaefer, Director of Public Works Preston Stapleton, and Law Director Steve Wolf.

MINUTES:

A motion to adopt the minutes of the May 17 Council meeting as printed was made by Mrs. Lingo and seconded by Mr. Lombardo. An aye vote carried the motion.

CORRESPONDENCE:

President Lawson read a letter from Rick Reeder, chair of the Assumption festival, to Mr. Kocher, thanking the police and firemen of Mt. Healthy for their professional and outstanding contributions to the festival. He also thanked Mr. Peters and his staff for their help. Mr. Peters commented that it was actually mostly Mr. Stapleton and the street department who had done the work, but that they know Mr. Peters.

Mr. Kocher distributed a flyer for the Mt. Healthy car show on Saturday, September 17.

Arlington Cemetery will hold a Tribute to American Heroes parade on Sunday, September 11, to honor the police and firefighter heroes of September 11. The parade will start at 2 P.M. and Council is invited to participate.

The Veterans' Day Committee of Hamilton County will hold a parade on Sunday, November 13 at 2 P.M. in Harrison, Ohio, and Council is invited to participate.

Mr. Cook thanked the city employees and administration for their support on his mother's death. The flowers were beautiful and he appreciates all of the support and attendance at the visitation.

President Lawson introduced Ray Rissel, the city clerk who has been serving since February.

CITIZENS/GUESTS/SPECIAL PRESENTATIONS: None.

COMMITTEE REPORTS:

Community Relations: Mr. DeBruler attended the Board of Education meeting and they are in the midst of a big project to redo the high school courtyard. They are looking for 34 yards of concrete and any help is appreciated. Mr. DeBruler said that Joel Muskovin has headed the Boosters for ten years even though he no longer has any kids in the school system. He and his fiancée run the weekly bingo games as well.

President Lawson said that the Mt. Healthy Alumni Band will have its 25th annual concert this weekend. Russ Hinkel will direct.

Finance: Mr. Cook said that the committee met last night with Mr. Kocher and Ms. Claire to review revenues and expenses through May and projections for the rest of the year. The city's finances are in reasonable shape.

Safety: Mrs. Lingo said that the committee met to discuss parking on Elizabeth Street and that they should have a resolution about Elizabeth Street fire lanes ready for the next meeting. They will ask the Fire Department to go out and notify people beforehand. We will do the part of the street south of Compton first, then the rest of the street after construction is finished.

MAYOR'S REPORT: None.

SAFETY SERVICE DIRECTOR'S REPORT:

The information Council will need to approve beer sales in the park for the July 3 fireworks is included in the Council packets. Mr. Kocher reviewed it briefly. We have offered the concession stand vendor the opportunity to extend his hours for the occasion.

A motion to allow beer sales in the park during the July 3 fireworks was made by Miss Reusch and seconded by Mr. DeBruler. An aye vote carried the motion.

Mr. Kocher has been talking with Denny Hayes about his band, "Stuck in Time", performing a benefit concert in the park on August 6. The band will play for free and split earnings between the city and donations for melanoma research. The city would sell beer and there would be a split-the-pot raffle. If Council doesn't see any problems with this plan, we will need a motion to allow beer sales in the park like the one for the fireworks. Mr. Roetting said that the tennis courts have been used for things like this in the past to allow for controlled access. If we use the tennis courts, we should post a notice beforehand that they won't be available for tennis then.

There is a resolution in the packets that gives the CIC the authority to go ahead and sell the house the city bought from HUD to a developer. Mayor Rouse asked about sections 1 and 2 of this resolution. Mr. Wolf said that this language is required by the Ohio Revised Code for this type of transaction. If the city made this transaction, it would be a lot more complicated.

Mr. Lombardo asked how we can make sure the developer doesn't leave the property in its current condition. It's a requirement of the RFP (from HUD) that the existing house be torn down although it's not clear how binding that is. Mr. Wolf said that the easiest way might be to make the sale conditional on the requirements of the RFP.

LAW DIRECTOR'S REPORT:

As mentioned earlier, the prosecutor is retiring from Mt. Healthy. Megan Shannahan has agreed to take the post and started on June 6. She is the assistant Hamilton County prosecutor and worked for Steve in Butler County. She knows people in Mt. Healthy, has filled in for us as prosecutor before, and works downtown so she will be readily available if needed for appeals.

Workers' compensation costs have been an issue for Mt. Healthy and there is more bad news on that front: there have been some questionable investments of workers' comp funds at the state level. Normally the Workers' Comp system sets a rate each year and then issues refunds if the investments go well, but last week they voted to not issue any refunds this year due to these bad investments.

AUDITOR'S REPORT:

Ms. Claire noted a correction on page 21 of the May month end report—it is an in-house issue that involves moving expenses between line items. We can't go back into a closed month to make corrections so that will turn up in June.

The tax budget needs to be adopted by Council tonight since it is due to the county in July. A motion to adopt the proposed tax budget was made by Mr. Lombardo and seconded by Mr. Roetting. An aye vote carried the motion.

The 2004 gap report is in progress. Ms. Claire has received the audited financial statement from the Community Improvement Corporation via Mr. Roetting.

The outside auditor is onsite for the 2003/2004 audit. Ms. Claire passed out a survey related to the 2003 audit. The packet also includes a memo to all employees about efforts to promote a culture of safety and also lower workmen's comp costs.

TREASURER'S REPORT:

Ms. Schaefer stated that she balanced with the Auditor and the bank for the month of May, with minor adjustments. The tax report for May is in the Council packets. The tax department is working on non-filers. May receipts are less than last year's but overall we are ahead of last year at this time by 7%. Mr. Kocher commented that May receipts are less than last year because the tax filing date was changed from April 30 to April 15.

ORDINANCES

ORDINANCE NO. **05-1464** An Ordinance Amending the 2005 Appropriations, and Declaring an Emergency. Ms. Claire commented that this is actually only one transfer of funds (\$7000 total, not \$14,000) but because of how money is transferred it needs to be listed twice in the ordinance. \$5000 is already budgeted, so this will make a total of \$12,000 for the new front end loader. A motion to suspend the Three Reading Rule was made by Mr. Custer and seconded by Mr. Cook. A roll call vote carried the motion 7-0. A motion to adopt this resolution was made by Mr. DeBruler and seconded by Mr. Lombardo. A roll call vote carried the motion 7-0.

ORDINANCE NO. **05-1465** An Ordinance to Transfer Funds from the General Fund to Other Funds Covering Budgeted Expenditures and Declaring an Emergency. A motion to suspend the Three Reading Rule was made by Miss Reusch and seconded by Mr. Roetting. A roll call vote carried the motion 7-0. A motion to adopt this resolution was made by Mr. Cook and seconded by Mrs. Lingo. A roll call vote carried the motion 7-0.

RESOLUTIONS:

RESOLUTION NO. **05-939** A Resolution Designating the Mt. Healthy Community Improvement Corporation (CIC) as the Agency for the City and Authorizing the Sale of Certain City Property by the CIC and Declaring an Emergency. A motion to suspend the Three Reading Rule was made by Miss Reusch and seconded by Mr. Roetting. A roll call vote carried the motion 7-0. A motion to adopt this resolution was made by Mr. Cook and seconded by Mr. Lombardo. A roll call vote carried the motion 7-0.

RESOLUTION NO. **05-940** A Resolution Authorizing the Safety Service Director to Solicit and Accept the Lowest and Best Bid for Elizabeth Street Phase II Improvements and Declaring and Emergency. Mr. Cook asked about the phrase “lowest and best” and Mr. Wolf explained that it is a term of art meaning that we are not required to take the lowest bid but can consider other requirements. A motion to suspend the Three Reading Rule was made by Mr. Lombardo and seconded by Mr. Custer. A roll call vote carried the motion 7-0. A motion to adopt this resolution was made by Mrs. Lingo and seconded by Mr. Roetting. A roll call vote carried the motion 7-0.

OLD BUSINESS:

Mr. Custer asked about Clean Water Act issues. Did we ever enact an ordinance against putting debris in the street that might get swept into storm sewers? Mr. Kocher replied that we have not and that we should discuss how we would police such an ordinance before putting it in place. The point may be more to show that we’ve made an effort to keep debris out of our storm water than actually to carefully enforce such an ordinance. Mr. Wolf will look into whether this is covered by the International Property Maintenance Code that we have adopted. Such an ordinance would be aimed more at keeping people from raking all their leaves into the street or dumping grass catchers into storm sewers than at worrying about a little grass blown into the street from a lawnmower. Mr. Stapleton commented that he had received a call last week asking whether we had put such an ordinance in place.

NEW BUSINESS:

The Safety Committee scheduled a meeting for 6:15 on July 19.

Mayor Rouse mentioned a PERS issue—it is not final yet but the minimum salary to receive a full year’s credit may double from \$3000 to \$5400. The minimum threshold is \$450/month. This is House bill 272, which isn’t voted on yet.

President Lawson mentioned that the church chicken fry on Saturday had gone well and thanked Mr. Peters for his help.

ADJOURNMENT: A motion to adjourn the meeting was made by Mr. Custer and seconded by Mrs. Lingo. An aye vote carried the motion, and the meeting was adjourned at 8:43 P.M.

Sylvia Lawson, President of Council

Margaret Roulier, Clerk of Council