

MT. HEALTHY CITY COUNCIL MEETING

May 18, 2021

The council meeting was called to order by President of Council Ross Bittner. The invocation was followed by the Pledge of Allegiance.

ROLL CALL:

Present: Mrs. Lingo, Mrs. Moody, Mr. Parsons, Mr. Roetting, Mrs. Dosa, Mr. George, Ms. Scheets

Mrs. Moody was excused from the remainder of the meeting at 9:45pm

ALSO, IN ATTENDANCE:

Mayor James Wolf, Finance Director Scott Bauer, City Manager Bill Kocher

A motion was made by Mr. Parsons to amend tonight's agenda to have Resolution 21-1165 removed. The resolution will be a first reading at the June 15th meeting. Mrs Lingo seconded the motion. An aye vote carried the motion.

MINUTES:

A motion to adopt the minutes with corrections noted for the May 4, 2021 meeting was made by Mr. Parsons and seconded by Mr. Roetting. An aye vote carried the motion. Minutes were adopted.

CORRESPONDENCE:

None.

GUESTS, SPECIAL EVENTS:

None.

PUBLIC INPUT

Anne Ketzer, Long time resident of north Elizabeth Street. Since speaking at the last council meeting, she has now spoke to all the residents on Elizabeth as well as trustees, renters, property managers. The residents of N. Elizabeth present the following Proposal 2:

If the mandate of council to install sidewalks remains, we ask that council members give serious consideration to placing a sidewalk on one side of the street only due to very minimal foot traffic. We understand:

- 1) parking will continue to be allowed on the west side of the street only due to the east side fire lane.
- 2) a sidewalk on the east side only (where there are more homes and residents) would minimize loss of trees

She thanks council members for taking the time to consider the residents of North Elizabeth's concerns

Karen Arnett would like to encourage the city to hire an arborist to help in the decision making of trees during street projects. You see it valuable to hire outside consultants to do a traffic study before making decisions. Highly recommend hiring an expert when it comes to decisions that might affect the trees. Has heard construction may begin in July and that is the most stressful time of year for construction stress on trees

Alisha Duvan, not a resident of Mt Healthy any longer, but is here regarding the opposing of the liquor license at Reminisce in Hilltop Plaza at 8134 Hamilton Avenue. Received a letter from Chief Demasi.

- Got a report from Hamilton County Communications from 1/2020-5/2021 there were only 15 calls for our establishment and 9 of them were bar checks
- Never had a shooting or a robbery at establishment
- Total harassment at our establishment from Mt. Healthy Police Department, specifically Sergeant Nolte and Sergeant Fath
- Never received any COVID19 violations. The only complaints made were from Mt. Healthy Police Department
- Read an email from Diane Tolle from North College Hill Police Department stating she frequents the bar once a week and has never feared for her safety. Reminisce is the only bar she frequents between March 2020 and now. There is always security searching and patting patrons down before entering. There has never been an issue while she was there. Has witnessed Mt. Healthy Police enter the bar and enforce mask wearing, but not all officers were wearing them nor had identification that could be seen. Followed officers outside and watched them get into their vehicles and leave. They did not do a bar check at Gametime. It seems officers were unfairly focused on Reminisce.
- Has made complaints to City Manager, Mayor about the treatment that has been received from Mt. Healthy police and they have done nothing about it
- This is a family-oriented business
- No criminal activity at 8134 Hamilton

Palma Simmons, Jr. concerned about the image that this is creating for Reminisce

- This is a family-oriented business
- Spent a lot of money upgrading our business.
- Trying to get food portion of the business going
- Criminal activity and drugs at the establishment are just not true
- Trying to get the Mt. Healthy community involved
- We deserve fair treatment

Mr. Ericson, III. Regarding 8134 Hamilton, Reminisce

- Mt. Healthy graduate, current Mt. Healthy resident
- Invested his 401K into Reminisce
- Drug activity does not exist at Reminisce
- Always make sure patrons are safe
- Willing to work with the city, but there needs to be better communications
- The police have been to the owner's home, so they know where she lives
- Going to try their best to make it a safe establishment
- Felita Harper is the owner and is here this evening

Nathan Valentino. Regarding 7701 Hamilton, Vince's Other Place

- Betty Valentino, grandmother is owner of the business
- Chad Valentino, brother helps run the business
- Received the letter from Chief Demasi, which was just handed to employee rather than mailed or delivered to an owner
- Claims there were 52 calls to the establishment, but if you look, they are not all calls specific to the location – mentions Vince's but the call still uses 7701 Hamilton. There were only 10 calls out of the 52 that were actually made from Vince's
- Have not had a single drug violation nor has it ever been an issue
- Letter states attempts were made to meet ownership have not been successful. – none of us know what this is about.
- Employees have been trained from the Ohio Investigative Unit A.S.K. (Alcohol Server Knowledge) program.
- To say that Vince's has a negative impact on the city is a slap in the face, and after years of doing business here and everything we have done for this community in the time frame, and especially the struggles recently on small business with COVID. Does not agree with any of this or the way it was handled. The economic stimulant that our business brings to the city i.e., the amount of people who spend money residually in our city at other businesses is overlooked as well.
- We have always worked with Mt. Healthy Police, consented to their walk throughs, and while at times we may not have seen eye to eye we ~~always have had~~ respect for them and helped however they can. *have always*

Jay L. Abernathy. Regarding 1357 Compton, Take A Shot Bar

- Recently spoke with Chief Demasi and had a very positive conversation and have come to an agreement that we do not want these things to go on
- Going to make the needed changes
- Received the same letter from Chief Demasi and is glad to know he is not being singled out
- No business owner wants these issues at their establishments

COMMITTEE REPORTS:

Business Partnership/Alliance: Jennifer Moody.

Attended the Mt. Healthy Business Association meeting

- Memorial Day Parade is at 2:00. Flag Raising at noon
- July 3rd – Historical Society will be having their Ice Cream Social
 - Business Association will have Pop/Water Booth – Volunteers needed
- Historical Society cancelled their Yard Sale due to Cicadas
- Plant Swap will be at Fibonacci June 5th from 11am-1pm
- Farmers Market went very well. They accept SNAP and produce perks
- June 22-July 22 there will be a summer food distribution at the schools. Partnering with Farmers to Families
- Dwight Moody is getting the ballot of officers and board members together

Alliance:

- Numbers at the food pantry are steady
- 5 weeks this summer there will be programs for youth grades 2-6. A flyer will be coming out soon. City Hall will be sure to have it posted.

Beautification Committee: Jennifer Moody.

- Working on planting flowers in pots. Some have been distributed. We have more pots than we have locations
- Placed in front of businesses hoping they will help with caring for the plants
- Thanks to Public Works for all their hard work

Safety/Street – Joe Roetting

Had a meeting tonight

- Ordinance 21-1951 is on tonight's agenda. There are some amendments needed.
- Sidewalks on North Elizabeth Street
 - Recommendation from the meeting:
Sidewalks on 1 side of the street – West side
Put a turn around at the end of the street
- Discussed a 4-way "Stop" sign at Stevens and Park – this will require TEC to perform a traffic study
- "No Parking" on South side of Adams near Joseph Street. Traffic going west to east. Turning left from Joseph Street when cars are parked creates a blind spot and can become hazardous. – this will require TEC to perform a traffic study
- Asking administration for cost estimates for:
 - Solar powered "Stop" signs.
 - Solar powered cross walks in the roadway

Schools – Cordel George

- Last day of school will be June 2
- Graduation for 2021 graduates was held over the weekend at University of Cincinnati
 - Congratulations Class of 2021
- Thanks to all those who work in education

Library – Kisha Dosa

- Library offers Programs in the Mt. Healthy Park in June.
 - Outside Storytime: Movers and Shakers 6/7, 6/14, 6/21 at 10:30am
 - DIY at the Park: 6/10, 6/17, 6/24 at 3:30pm
- Mt. Healthy Library has been chosen by Hamilton County Public Health as a COVID vaccine location. Dates will be June 1-June 21 from 11am-3pm

Wethrive–Cindy Scheets

Attended a zoom meeting.

- Tikkun Farm did 325 crockpot meals and served 225 families. They will be having family camps this summer. Expecting about 20 families
- Trinity Lutheran Church has 30 garden plots being used
- Kate's Cupboard is very active
- Farmers Market at Fibonacci is the first Sunday of each month from 11am-2pm. They had 13 booths.
- Discussed North Elizabeth sidewalk
- Discovered how to do walking map on Google maps
- A Public Health survey was sent out to Hamilton County residents, ^{SO} for hospital facilities know what is needed. This gets done every 3 years.

MAYOR'S REPORT: James Wolf

Trinity Lutheran Church is having the Mobile Vaccine Clinic on Thursday, May 20th from 10am-1pm. This is hosted by Hamilton County Public Health and the Ohio Department of Health. Open to the public. No appointments necessary.

Fibonacci has applied to have the Mobile Vaccine Clinic there. The library is also looking to do a vaccine clinic

The Memorial Day Parade at 2:00. Line up at Dairy Bar around 1:30 to walk in the parade.

CITY MANAGER'S REPORT: Bill Kocher

Traffic light removal will be completed by the end of the month

Part-time Fire Department had an error in their contract on the pay grid. There will be legislation at the next meeting.

North Elizabeth road project goes out for bid on June 9th. ^{open} At ^{that} this point we will know who the contractor will be. The waterworks part of the project will be done first. Will need direction from council for the sidewalk portion at the next council meeting.

Private section at the end of North Elizabeth will be doing an easement. First step is a plat with a legal description that each property owner on the private drive will have to sign and have notarized. Ray Rissel is a notary and will reach out to the property owners to come in and sign.

FINANCE DIRECTOR: Scott Bauer

April month end reports are in the packets.

RESOLUTIONS:

Resolution 21-1161: A second reading of resolution adopting a tax budget for 2022. A motion to adopt the resolution was made by Mr. Parsons and seconded by Mr. Roetting. A roll call vote carried the motion 7-0. Resolution 21-1161 was adopted.

Chief of Police, Vince Demasi/Sergeant Alan Fath

Liquor license objection process.

- The state issues a business their liquor permit, which is a privilege not a right. The permits are regulated with a strict code of rules and regulations. The maintenance of that permit and the renewal of the permit is contingent upon that the establishments are following these rules and regulations.
- It is incumbent upon the police department through the city council to notify the Ohio Department of Liquor Control of any violations and issues as it pertains to each liquor permit issued within our city limits
- We have put together liquor objection binders that will be sent based on approval of council to the state liquor board for review
- The State will make the final decision
- Part of the rules and regulation is if the city does not file a timely objection, then we lose the ability to bring forward in the future. So, if we decide one of these 3 establishments, we want to not continue with the objection then those issues that occurred in that year then they are lost as far as arguments to the state if there are continued issues
- We believe there will be continued issues at these establishments based on a pattern of conduct
- We do not tolerate harassment in any way shape or form. Our officers are under a lot of scrutiny and very proud of the way they conduct themselves
- The focus is on the liquor permit holder because the permit holder is the only person that can affect any kind of change and is responsible for the conduct that occurs inside the establishment.
- The objections are a result of mismanagement of the establishment
- The state is not in the business to take away license.
- This is the process the state has set up that has to be followed. There will probably not be a resolution in this calendar year
- 2020 was COVID and they did not review cases, so there is a backup
- Letters were sent out to the establishments per council's direction. We are not required to do this.
- On a liability standpoint the police are putting it in council's hands. We are telling you we are having issues with these establishments
- Liquor checks in bars are not intended to be harassment. Officers are being notified that there are issues. It is what the officers are supposed to do
- Encourage council to pass the 3 resolutions is hope ^{that} the state will get involved and we can get the problems corrected. We do not want to shut down any businesses in our community

- The city could withdraw an objection if these establishments corrected the issues
- The police must account for any time they enter a liquor establishment
- The state only has one time a year to bring these issues to their attention. The state shut the process down in 2020. They opened a short window of time in 2021 to get this together and get sent in
- The hope is to get these establishments in compliance
- Council requests an update from the Police Chief in November 2021

Resolution 21-1162: A second reading of resolution opposing the renewal of the Ohio Department of Liquor control license for the business located at 7701 Hamilton Avenue DBA Vince's Other Place, first floor, basement, and patio owned by 7701 Hamilton Avenue LLC, and declaring an emergency. A motion to adopt the resolution was made by Mr. Roetting and seconded by Ms. Scheets. A roll call vote carried the motion 6-1. Resolution 21-1162 was adopted.

Resolution 21-1163: A second reading of resolution opposing the renewal of the Ohio Department of Liquor control license for the business located at 8134 Hamilton Avenue and patio DBA Reminisce Sports Cafe and declaring an emergency. A motion to adopt the resolution was made by Mr. Roetting and seconded by Mrs. Dosa. A roll call vote carried the motion 6-1. Resolution 21-1163 was adopted.

Resolution 21-1164: A second reading of resolution opposing the renewal of the Ohio Department of Liquor control license for the business located at 1357 Compton Road DBA Take a Shot Bar and declaring an emergency. A motion to adopt the resolution was made by Mr. Parsons and seconded by Mrs. Roetting. A roll call vote carried the motion 6-1. Resolution 21-1164 was adopted.

ORDINANCES:

Ordinance 21-1950: A second reading of ordinance establishing rules, regulations, and permitting process for the construction and maintenance of residential swimming pools within the City of Mt. Healthy. A motion to adopt the ordinance was made by Mr. Parsons and seconded by Ms. Scheets. A roll call vote carried the motion 7-0. Ordinance 21-1950 was adopted.

Ordinance 21-1951: A first reading of ordinance amending Chapter 77, Schedule 1(traffic and parking) of the Mt. Healthy Ohio Code of Ordinances.

- *Mr. Roetting would like to call a Streets Committee meeting to review the listing of parking restrictions. Tuesday, May 25 at 6:15pm.*
- *Council will have an updated version of Ordinance 21-1951 at the June 15th meeting.*

OLD BUSINESS: *made*

Mr. Parsons ~~make~~ *made* a motion to have TEC do a traffic study for a "STOP" sign at Park & Stevens. Also, look at parking on south side of Adams at Joseph Street. Mr. Roetting seconded the motion. An aye vote carried motion.

Mr. Kocher needs direction regarding North Elizabeth sidewalks at the June 15th meeting. He will need a motion from council to ~~execute~~ *communicate* to the engineer.

June 15th council meeting will be back to pre-COVID formation. Mandate for masks ends June 2nd.

NEW BUSINESS:

A motion to move into summer session for the 3rd Tuesday in June, July, and August was made by Mr. Roetting and seconded by Mrs. Dosa. An aye vote carried the motion.

Council meetings will be June 15, July 20, August 17 at 7:00pm

Women's center is now open in Hilltop Plaza. It is a beautiful facility.

ADJOURNMENT:

A motion to adjourn was made by Mrs. Lingo and seconded by Mr. George. An aye vote carried the motion, and the meeting was adjourned at 10:05 pm.



President of Council Ross Bittner



Melanie Branditz, Clerk of Council