

MINUTES OF REGULAR MEETING
January 30, 2014
VILLAGE OF TERRACE PARK COUNCIL
HAMILTON COUNTY, OHIO

Council met on Thursday, January 30, 2014 at 7:30 p.m. in the Terrace Park Community Building. Mayor Gohman led Council in the Pledge of Allegiance. Members of Council present were Mr. Lee Cole, Mr. Jeff LeMay, Mrs. Holly Nelson Purcell, Mr. Tom Tepe, and Mr. Rick Tripp. In addition, Mayor Jay Gohman, Clerk of Council Melanie Stutenroth, Police Chief Jerry Hayhow, EMS Chief John Maggard, Fire Chief Luke Frey and Solicitor Bob Malloy were present. Council member Judith Lehman and Chief Fiscal Officer Mark Holcomb were absent.

Mr. Tepe then moved to approve Council Minutes from the December 10, 2013 and January 1, 2014 Council meetings. Mr Cole seconded. All voted aye. Minutes approved.

RESIDENTS TO ADDRESS COUNCIL: Mrs. Lanie Grever of 609 Miami addressed Council. As president of the Terrace Park Garden Club, Lanie proposed a plan to Council to repair the stone bench on the Village Green. This bench was built in 1934 in honor of Mrs. William T. Lloyd, the first president of the Terrace Park Garden Club. The proposed repair includes the installation of a new wall beneath the bench, fill with gravel and replace the seat. Please see Attachment A. The work will be done by Terrace Park resident, Walt Bessey, for a cost of \$600-\$800. The project will be completed in early Spring prior to TPGC Plant Sale. Lanie asked Council for approval of this project. Mayor Gohman then stated that the new chair of Buildings & Grounds was absent but that Council could approve the work. Holly Purcell, a member of the Building & Grounds committee, thanked Terrace Park Garden Club for their generosity in repairing the bench and then made a motion to approve the project. Mr. Tom Tepe seconded. All voted aye. End of report.

MAYOR'S REPORT: Mayor Jay Gohman began his report by asking Council for nominations of a President Pro Temp. Mr. Cole nominated Mr. Tom Tepe. Mrs. Purcell seconded. All voted aye. Mr. Tepe stated that he was honored to serve the village in this role.

Mayor Gohman then reported that the village has received very good news regarding the Martin Marietta case. This case has been dismissed. He stated that Solicitor Bob Malloy will explain further in his report. Gohman then thanked Holly Purcell for chairing the Building & Grounds committee and for rebuilding the Tree Committee. The new committee assignments are as follows:

Public Safety-Holly Purcell (chair), Jeff LeMay, Tom Tepe
Finance-Jeff LeMay (chair), Judith Lehman, Holly Purcell
Buildings & Grounds-Judith Lehman (chair), Lee Cole, Holly Purcell
Planning & Zoning-Tom Tepe (chair), Lee Cole, Rick Tripp
Public Works-Lee Cole (chair), Jeff LeMay, Rick Tripp
Rules & Law-Rick Tripp (chair), Judith Lehman, Tom Tepe

In conclusion, Mayor Gohman reminded residents to check with the Building Official prior to starting construction on their home or property. End of report.

CHIEF FISCAL OFFICER: Mr. Holcomb was absent.

SOLICITOR: Mr. Malloy reported that the decision from the Court of Appeals regarding the Martin Marietta mining project was to dismiss the case. Martin Marietta had appealed an Order of Remand from Judge Ruhlman which sent the case back to the BZA of Anderson and then to Judge Ruhlman again. A new BZA panel reviewed the case and ruled that the case does not belong. The case is now back in front of Judge Ruhlman who had previously ruled against the project. In May, Judge Ruhlman will make another ruling and Mr. Malloy expects the same decision. He does not expect Martin Marietta to file an appeal. Mr. Malloy then added that a new recent statute concerning Executive Session has been passed by the state. The statute states that if Council wants to adjourn in to Executive Session, Council must follow these guidelines which include discussions of personnel as well as impending litigation. This statute also allows Council to discuss certain economic issues in Executive Session. However, Mr. Malloy reminded Council that all votes by Council must be done in public. End of report.

EMS CHIEF: EMS Chief John Maggard reported that his department has responded to thirteen emergency runs to date. Trainings have included units in Pediatric and cold weather emergencies, as well as EMS crew chief training. Members of the new recruit class have successfully passed their midterm exams and are on track for finishing Basic EMT training in March 2014. The East Chiefs Group, which includes Terrace Park Fire/EMS as well as our immediate neighboring departments, has been very involved in helping eastern regional fire departments work together in cooperative ways to define standard practices in training to further insure life safety and effectiveness. In January, these efforts will include EMS-specific training. Terrace Park EMS will participate in this training. In conclusion, Chief Maggard reported that the EMS department is currently applying for a training grant. End of report.

FIRE CHIEF: Chief Frey reported that there has been excellent attendance at all trainings. TPFD has had a busy month assisting neighbors in Milford (three fires), Columbia Township (Kroger fire) and Indian Hill (Cunningham fire). Chief Frey asked Council to pray for the brothers, sisters and families of two firefighters from Toledo FD recently killed in an apartment fire. He then reported that TPFD continues to work with all of the agencies within the Mariemont School District to make the schools safer in the event of an emergency. Chief Frey has recently met with three different chief organizations in an attempt to allow an exception to the building and fire codes. This exception would allow public interior rooms of a school to have a secondary locking device in the event of an active shooter. In conclusion, Chief Frey asked residents to “like” the TP Volunteer Emergency Services Facebook page and he encouraged residents to volunteer for EMS or TPFD. End of report.

POLICE CHIEF: Police reports were submitted to Council prior to the meeting. End of report.

STREETS AND MAINTENANCE: Police Chief Hayhow then reported that work will begin soon on resealing many streets in Terrace Park with the BlackMat Sealing product that was used last year. To compare seasons, Chief Hayhow reported that in the 2012-2013 winter, 140 tons of road salt was used on Terrace Park roads at a cost of \$8,375 and 70 hours overtime for the Maintenance crew. To date, the village has spent \$14,371.00 on 240 tons of salt and 101 hours of overtime by the Maintenance staff. End of report.

BUILDING OFFICIAL: The Building Official's report was included in Council packets.

MEMBERS OF COUNCIL OUTSIDE THEIR COMMITTEE: None.

PLANNING & ZONING. No report.

BUILDING AND GROUNDS: Judith Lehman was absent. No report.

FINANCE: Mr. Jeff LeMay reported that Police Chief Jerry Hayhow and Assistant Fiscal Officer Pat Wirthlin have begun working on the 2015 budget and he anticipates that by the end of February, a draft proposal to work with committees and departments. He thanked Jerry and Pat for their work on this project. Mr. Jeff LeMay introduced **RESOLUTION 1-1, 2014. RESOLUTION TO EMPOWER THE ASSISTANT FISCAL OFFICER TO REVISE THE 2014 APPROPRIATION BUDGET.** Again, he thanked Pat Wirthlin and Jerry Hayhow for their work on this resolution. In summary, the overall budget is being reduced by \$9,000.00. Mr. Tepe asked for clarification of the repay of the property tax line item. Mr. LeMay reported that in 2007, Hamilton County in error assigned taxable assets to Terrace Park of approximately \$47,000. This was recouped half of that amount with the tangible property tax in 2008-2010. This tax no longer exists. Terrace Park was notified in January that the village owes Hamilton County \$23,000. The remainder of the money will be paid out of property taxes in two lump sums in 2014. In addition, this resolution cleans up the UAN budgets which will allow more flexibility in the budget. Also, \$16,000 from the Wooster Pike bond issue will be used to repair the Community building roof. Finally, this resolution will reduce the Tree fund by \$20,000. This is an adjustment to address changes in the maintenance of the trees. A committee will review the spending in previous years. Mrs. Purcell added that most of the tree budget is spent for tree removal and heavy prunings, not plantings. She is pleased that Council will review how the money is being spent on trees. Mayor Gohman added that many of the additions to the tree budget in the past year have been used for emergency issues that have occurred. Chief Hayhow stated that any tree that falls on the roadway, removal will be paid for from a restricted fund that is used to maintain streets. Mr. LeMay stated that a new budget proposal will be developed by the Finance committee and presented to Council. Mr. LeMay then advanced this resolution to the third reading. Mr. Tepe seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mr. LeMay then moved to adopt the resolution. Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mr. LeMay moved to adopt the resolution as an emergency. Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Resolution passed. End of report.

RULES & LAWS: Mr. Rick Tripp introduced and advanced to the third reading **RESOLUTION 1-2, 2014. RESOLUTION EMPLOYING LEGAL COUNSEL FOR THE VILLAGE.** Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mr. Tripp then moved to adopt the resolution. Mr. Tepe seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mr. Tripp moved to adopt the resolution as an emergency. Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Resolution passed.

Mr. Tripp then introduced and advanced to the third reading, **RESOLUTION 1-3, 2014. RESOLUTION EMPLOYING ADDITIONAL LEGAL COUNSEL AS MAYOR'S COURT PROSECUTOR FOR THE VILLAGE.** Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mr. Tripp then moved to adopt the resolution. Mr. Tepe seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mr. Tripp moved to adopt the resolution as an emergency. Mrs. Purcell seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Resolution passed.

Mr. Tripp then introduced and advanced to the third reading **RESOLUTION 1-4, 2014. RESOLUTION APPOINTMENT OF THOMAS P. LONGANO AS MAGISTRATE FOR THE VILLAGE OF TERRACE PARK.** Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mr. Tripp then moved to adopt the resolution. Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mr. Tripp moved to adopt the resolution as an emergency. Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Resolution passed.

PUBLIC WORKS: Mr. Lee Cole reported that Terrace Park will receive \$75,000.00 to repair Elm Avenue from Wooster Pike to the underpass. He thanked Chief Hayhow for his work on this award of money. Chief Hayhow stated that the village's engineering firm, CDS, recommended repairs to Elm Avenue from the swim club entrance to Wooster which would have cost \$89,000. Now the project will match the available funds of \$75,000 and will include repairs from the bridge to Wooster Pike. The project will be put out for bid to contractors and Chief Hayhow stated that he will present a report to Council in the near future. New blacktop will be used in the repair. End of report.

PUBLIC SAFETY: Mrs. Holly Purcell introduced and advanced to the third reading **RESOLUTION 1-5, 2014. APPOINTING GERALD E. HAYHOW TO THE POSITION OF STREET COMMISSIONER FOR THE VILLAGE AND FIXING THE SALARY OF SAID OFFICE AND WAIVING RESIDENCY REQUIREMENT.** Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mrs. Purcell then moved to adopt the resolution. Mr. Tepe seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Mrs. Purcell moved to adopt the resolution as an emergency. Mr. Cole seconded. Messrs. Cole, LeMay, Tepe, Tripp and Mrs. Purcell voted aye. Resolution passed. End of report.

CONTINUED BUSINESS: None

NEW BUSINESS: None.

Mr. Tepe moved to adjourn the regular meeting. Mr. Cole seconded. All voted aye. Regular meeting adjourned.

Respectfully submitted:

Melanie N. Stutenroth
Clerk of Council

Jay Gohman
Mayor