

MINUTES OF MEETING
June 26th, 2017
VILLAGE OF TERRACE PARK COUNCIL
HAMILTON COUNTY, OHIO

Council met on Monday, June 26, 2017: Public Hearing for the Budget, 7:00 p.m. Meeting at 7:30 p.m. in the Terrace Park Community Building. Mayor Tepe led Council in the Pledge of Allegiance. Members of Council present were Mr. John Gaskey, Mr. Jeff LeMay, Mr. Pax Lindell, Ms. Judith Lehman and Ms. Regina Sharp. In addition, Mayor Tom Tepe, EMS Chief John Maggard, Fire Chief Luke Frey, Clerk of Council Hester Sullivan, Solicitor Jeff Forbes, Chief Fiscal Officer Jean Marie Nelson and Police Chief Jerry Hayhow were in attendance. Ms. Holly Purcell was absent.

Council Member Sharp motioned to approve Council Minutes from the June 8, 2017 regular Council meeting. All voted aye. Minutes approved.

Mayor Tepe suggested that we have swear-ins and a special proclamation first. In the absence of Councilmember Purcell, Council Member Sharp introduced the following Resolutions:

- **RESOLUTION NO. 7-3, 2017, RESOLUTION APPOINTING DANIEL M. HICKEY AS AN AUXILIARY POLICE OFFICER FOR THE VILLAGE OF TERRACE PARK POLICE DEPARTMENT** Sharp then moved to advance this resolution to the third reading. Lehman seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Sharp then moved to adopt this resolution. Gaskey seconded. Gaskey, LeMay, Lindell, Lehman, and Sharp voted aye. Sharp then moved to treat the resolution as an emergency. Lindell seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Resolution passed. Mayor Tepe swore in Officer Hickey.
- **RESOLUTION 7-4, 2017, CONSENT OF COUNCIL TO THE APPOINTMENT BY THE MAYOR OF BRANDON BECK TO THE VOLUNTEER FIRE DEPARTMENT OF THE VILLAGE OF TERRACE PARK** Sharp then moved to advance this resolution to the third reading. Lehman seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Sharp then moved to adopt this resolution. Gaskey seconded. Gaskey, LeMay, Lindell, Lehman, and Sharp voted aye. Sharp then moved to treat the resolution as an emergency. Lindell seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Resolution passed. Mayor Tepe swore in Firefighter Beck.
- **RESOLUTION 7-5, 2017, CONSENT OF COUNCIL TO THE APPOINTMENT BY THE MAYOR OF JIM HARTMAN TO THE VOLUNTEER FIRE DEPARTMENT OF THE VILLAGE OF TERRACE PARK** She then moved to advance this resolution to the third reading. Lehman seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Sharp then moved to adopt this resolution. Gaskey seconded. Gaskey, LeMay, Lindell, Lehman, and Sharp voted aye. Sharp then moved to treat the resolution as an emergency. Lindell seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Resolution passed. Mayor Tepe swore in Firefighter Hartman.
- **RESOLUTION 7-6, 2017 CONSENT OF COUNCIL TO THE APPOINTMENT BY THE MAYOR OF SAM FARMER TO THE VOLUNTEER EMERGENCY MEDICAL SERVICES DEPARTMENT OF THE VILLAGE OF TERRACE PARK** She then moved to advance this resolution to the third reading. Lehman seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Sharp then moved to adopt this resolution. Gaskey seconded. Gaskey, LeMay, Lindell, Lehman, and Sharp voted aye. Sharp then moved to treat the resolution as an emergency. Lindell seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Resolution passed. Mayor Tepe swore in EMT Farmer.

Mayor Tepe read a Proclamation declaring June 26, 2017 Mariemont High School Men's

Lacrosse State Champions Day 2017 (attached). Coach Steve Peterson and Team co-Captain Drew Fiorenza accepted copies of the Proclamation. Coach Peterson and Fiorenza thanked the community for their support and recognized that the season was dedicated to Coach Graham Harden.

RESIDENTS TO ADDRESS COUNCIL: Dennis Purcell of 815 Yale Avenue stepped to the podium. He asked council to adopt the same positive leash law as Mariemont did in 2014. He brought a copy of the Mariemont Code of Ordinances, “Chapter 90: Animals” with the portion pertaining to his request highlighted. Mariemont’s ordinance also provides for places where a dog may be let off leash. Purcell stated he does not know where or how that would take place in Terrace Park so he is not taking a position on that portion of the Ordinance. He stated that an unrestrained dog attacked his leashed dog. Purcell was bitten and required stitches and an afternoon at Urgent Care. He thanked Mr. Hart for being there and for being in support of the law as well. He stated that he has been nothing but a gentleman through this incident. He also stated that from talking to Mr. Hart they both feel their dogs are more defensive and fearful. This was not the first time Mr. Purcell has been attacked. He stated that as he’s told his story, many people have come forward with similar stories. He stated there are many arguments for why we need this law, but it all boils down to public safety. He feels the burden of enforcing a positive leash law would not be heavy, but either way the greater good of the community is more important. He also stated that the AKC supports a positive leash law as well. He will leave their information as well supportive papers from other Animal Welfare groups. He said this time it’s just a scar on a 56 year old man’s finger, but next time it could be worse and it could be a child. He referred to an instance “some may know about.” Mayor Tepe thanked him for coming and for bringing this to our attention. He stated it will now be in the hands of Judith Lehman who is in charge of Rules and Law for the Council. Lehman let Purcell know that the meeting will be posted and open to the public and he is welcome to attend. LeMay said he would be interested in comparing Ordinances. Purcell stated that there are really only two differences between Mariemont’s and Terrace Park’s; that is the positive leash control and the area where dogs can roam free. Sharp asked for clarification as to what positive leash control is. Currently, dogs must be under control of the person, but necessarily on a leash. Positive leash control simply means the dog must be on a leash. Lehman noted due to travel the Rules and Law Committee cannot meet before August and wanted Mr. Purcell to know this. Mrs. Hart then stepped to the podium to ask if Electric Fences would be considered containment, which they are. Tepe stated that good laws do not happen overnight and that this will be thoroughly vetted and discussed.

MAYOR’S REPORT:

- The Mayor started by noting that giving the Proclamation for the Boys’ Lacrosse team was one of the highlights of his term so far.
- The Mayor reported that he has identified a group of people to serve on the *Ad Hoc* Sewer Feasibility Committee. No decisions have been made, this committee is simply to figure out what is entailed in converting to sewers and if it could be done. Those chosen represent a cross section of our community with various areas of expertise and representation. Tepe said thank you to all who volunteered and that he has purposely kept the committee finite so that it has some ability to move more quickly than a very large committee would be able to. The committee will be Village Councilmembers, the Mayor, Chief Hayhow, David Center, Amy Roe, Carrie Corothers, Marc Michaelson, Jane Yancey and Joe Alter. First meeting will be coming up with a game plan and the next meeting will be with the County Commissioner to talk about the process. Apologies to those who reached out and are not on the committee, however, the Mayor stressed there will be plenty of work and leg work for anyone who wants to be involved. The Mayor thanked the community for your patience in advance.

CHIEF FISCAL OFFICER: No report.

SOLICITOR: No report.

EMS CHIEF: No report

FIRE CHIEF:

- Rescue 94 is still in the shop.
- Longtime Assistant Fire Chief Dennis Elliot's funeral was this morning. He passed away on Friday. Chief Frey asked that everyone keep him and his family in their thoughts and prayers.

POLICE CHIEF/STREETS AND MAINTENANCE:

- The quote to replace the light pole taken out by an OVI driver is \$12,775. In addition to OVI the driver was charged with child endangerment and drug paraphernalia. We will bill his insurance.
- Crews will be here in about 6 weeks to do the black sealing on Elm and Marietta.

MEMBERS OF COUNCIL OUTSIDE THEIR COMMITTEE: None

PLANNING & ZONING: No report

BUILDING AND GROUNDS: No report

FINANCE: Council Member LeMay reported that the budget had had a first reading on June 6th and we held a public hearing prior to tonight's meeting (with no attendees other than council). Tonight we will advance to 3rd reading and move to adopt. LeMay noted and thanked Katie, Jerry and the departments for their hard work in keeping our costs down. Same budget as last month's first reading. The annual 4% increase was largely driven by needing to replace our backhoe. If you take out that one time capital purchase, the budget is roughly the same as the 2017 budget. We will have 6 – 9 months cash on hand and be able to do our maintenance and repairs as well as support our employees with reasonable compensation. With that LeMay advanced **RESOLUTION 6-1, 2017 A RESOLUTION APPROVING THE 2018 ANNUAL TAX BUDGET FOR THE VILLAGE OF TERRACE PARK** to the third reading. Sharp seconded. He then moved to adopt the resolution, Lehman seconded. Gaskey, LeMay, Lindell, Lehman, and Sharp voted aye. He then moved to adopt as an emergency so that we can submit it to Hamilton County by 7/19, Lindell seconded. Gaskey, LeMay, Lindell, Lehman, and Sharp voted aye. Resolution passed.

RULES & LAWS: Councilmember Lehman reported she would do a first reading for two Ordinances and a Resolution making official the role that our Chief has been playing—Village Administrator. The first Ordinance repeals the job of Street Commissioner and replaces with Village Administrator. The second Ordinance nominates Chief Hayhow as Village Administrator and waives the residency requirement. The Resolution fixes the salary. Mayor Tepe asked everyone to review this information and noted that we are simply enacting a state law already in place with a few tweaks (like our Village Administrator will not oversee a power plant because we don't have one. If, and it's definitely not currently on the horizon, that were to happen we could add it back in). This is a first reading so that people have a chance to look at it

- **ORDINANCE NO. 7-1, 2017 REPEALING SECTIONS 31.40, 31.41, AND 31.42 OF THE VILLAGE OF TERRACE PARK CODIFIED ORDINANCES REGARDING THE POSITION OF STREET COMMISSIONER AND ADOPTING NEW SECTIONS 31.40 AND 31.41 REGARDING THE ESTABLISHMENT OF THE POSITION OF VILLAGE ADMINISTRATOR** (first reading)

- **ORDINANCE NO. 7-2, 2017 CONSENT OF COUNCIL TO THE MAYOR'S APPOINTMENT OF GERALD HAYHOW AS VILLAGE ADMINISTRATOR AND WAIVING THE RESIDENCY REQUIREMENT** (first reading)
- **RESOLUTION 7-1, 2017 FIXING THE SALARY OF THE VILLAGE ADMINISTRATOR** (first reading)

PUBLIC WORKS: Pax introduced Resolution 7-2

- **RESOLUTION NO. 7-2, 2017 RESOLUTION APPOINTING TY F. BUCHER AS A SEASONAL EMPLOYEE FOR THE VILLAGE OF TERRACE PARK** He then moved to advance this resolution to the third reading. Gaskey seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Lindell then moved to adopt this resolution. Sharp seconded. Gaskey, LeMay, Lindell, Lehman, and Sharp voted aye. Lindell then moved to treat the resolution as an emergency. Sharp seconded. Gaskey, LeMay, Lindell, Lehman and Sharp voted aye. Resolution passed.
- Councilmember Lindell noted there will be a Public Presentation by Duke Energy tomorrow (6/29) at 7 p.m. They are looking to update some of their lines and possibly put them underground at no cost to the village or homeowner. Chief Hayhow noted that Clerk of Council Sullivan had put all the information, including a map of affected streets on the website and Facebook page.

PUBLIC SAFETY: Resolutions presented in the beginning by Councilmember Sharp.

CONTINUED BUSINESS: None.

NEW BUSINESS: None.

Council Member Lehman motioned to adjourn. Voice Vote all voted aye. Meeting Adjourned.

There will be no meeting in July.

Respectfully submitted:

Hester Old Sullivan
Clerk of Council

Thomas M. Tepe, Jr.
Mayor