

MINUTES OF MEETING
October 9, 2018
VILLAGE OF TERRACE PARK COUNCIL
HAMILTON COUNTY, OHIO

Council met on Tuesday, October 9, 2018 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. Pax Lindell, Ms. Regina Sharp, Mr. Jeff LeMay, and Ms. Lauren Ingebritson. In addition, Mayor Tom Tepe, EMS Chief John Maggard, Clerk of Council Hester Sullivan, Solicitor Jeff Forbes, and Chief Fiscal Officer Katie Lyons were in attendance. Fire Chief Luke Frey and Ms. Judith Lehman were absent.

The Mayor asked if anyone had any corrections, additions or deletions to the September Minutes. Council Member Sharp motioned to approve Council Minutes from the September 11, 2018 Council meeting. Voice vote, all voted aye. Minutes approved.

RESIDENTS TO ADDRESS COUNCIL

The Mayor asked if Residents who want to speak about the proposed legislation regulating golf carts being introduced tonight would like to wait until the legislation had been proposed before asking questions. They agreed. He asked if there were any others who would like to address council about any other issues, seeing none he proceeded.

The Mayor asked Council Member Gaskey if he would like to be advanced in the agenda in order to swear in new firefighter Brian Talbott. Gaskey introduced and advanced to the third reading **RESOLUTION 10-5, 2018 CONSENT OF COUNCIL TO THE APPOINTMENT BY THE MAYOR OF BRIAN TALBOT TO THE VOLUNTEER FIRE DEPARTMENT OF THE VILLAGE OF TERRACE PARK** Ingebritson seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Gaskey then moved to adopt the resolution. Lindell seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Gaskey then moved to treat the resolution as an emergency. Sharp seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Resolution passed and treated as an emergency. Firefighter Brian Talbott sworn in by Mayor Tepe.

MAYOR'S REPORT:

It's Fall or will turn Fall soon and with it will come leaves. The Maintenance Department will begin leaf pick up October 22. He reminded residents to please not put leaves in the street – it's unsafe. There is no brush pick up during leaf pick up.

The Mayor spoke with Judy Boyko who is now spearheading the MSD RFP RFO process for our sewer study, which has been delayed. We will not have the information in the time frame we had expected. He will report as soon as we know anything. He will also follow up in two weeks.

Coyotes, owls and hawks are hunting, keep an eye on your smaller dogs and cats.

CHIEF FISCAL OFFICER: No report.

SOLICITOR: No report.

CLERK OF COUNCIL: The Village and the Terrace Park Environmental Group teamed up again this year for our E Waste Collection. Thank you to all who participated. We sent 10 skids to be recycled!

Chilipalooza is this Saturday – October 13th. Come one come all, make chili, eat chili, enjoy the Ukulele Brothers. Benefits Fire and EMS.

EMS CHIEF: Chief Maggard thanked and recognized Luke Frey for all of his service and contributions, not only as Chief of the Fire Department but as a member of EMS as well. He will be missed, and we wish him luck.

We only had one person sign up for night time classes so we are trying something a little different. We will offering daytime classes starting January 7 on Monday and Wednesday from 9 -1:30. We have room for more people if you can join.

We are working on getting grant money for a 12 lead EKG.

FIRE CHIEF: Chief Frey was absent but the Mayor noted that we will miss him. Mayor noted that Lt Dronsfield had applied for and interviewed for the job as Chief. He has an impressive resume and the Mayor is excited to present him to council next month. If you do not know him well or have not met him, please reach out. His wife Jen is on EMS in keeping with the Kipp family tradition of serving on Emergency Services.

POLICE CHIEF/VILLAGE ADMINISTRATOR: Hayhow apologized for the mix up yesterday between Lexington and Yale for the repaving. All the work has been completed.

MEMBERS OF COUNCIL OUTSIDE THEIR COMMITTEE: Gaskey spoke regarding the Safety Committee meeting on September 26.

In addition to Gaskey, chair, in attendance were Council/Committee Members Ingebritson and Sharp. Vice Mayor LeMay, Police Chief & Village Administrator Hayhow and Mayor Tepe were present as well. In addition there was very good attendance from the community who had the chance to provide some feedback and perspective. He thanked those who were in attendance.

The agenda was to discuss the recent changes in the state law that allows for communities to regulate under-speed, low speed, and utility vehicles via an ordinance. The law says communities must either regulate or prohibit them. Chief Hayhow introduced the elements of the state law with the committee. The group discussed the law and recommendations were made. Gaskey will introduce an ordinance for a first reading later in this meeting.

PLANNING & ZONING: There will be a Planning Commission Meeting on October 16th at 7 p.m. to discuss clean up within the zoning code and to discuss the variations in front yard/side

yard clarification in the code. In the last Variance Meeting, some things came to light that need to be clarified. Open to the Public as always.

BUILDING AND GROUNDS: Council Member Ingebritson noted that they had had a Buildings and Grounds Committee Meeting regarding the clock proposed by the kids of Terrace Park. The Committee agreed that clock is a good idea, but will require another meeting to decide location before they will make their recommendation to Council.

FINANCE: Council Member LeMay introduced **RESOLUTION 10-1, 2018 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY** . We do this annually, it is our review of the rates and the revenue we will receive from and through Hamilton County. LeMay moved to advance this resolution to the third reading. Lindell seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. LeMay then moved to adopt this resolution. Sharp seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. LeMay then moved to treat the resolution as an emergency. Gaskey seconded. Gaskey, Lindell, LeMay, Lehman, Ingebritson and Sharp voted aye. Resolution passed and treated as an emergency.

RULES & LAW: Absent no report.

PUBLIC WORKS: Council Member Lindell introduced and advanced to the third reading **RESOLUTION NO. 10-2, 2018 ADOPTION OF THE HAMILTON COUNTY MULTI-HAZARD MITIGATION PLAN** We must participate in a mitigation plan in order to be eligible for FEMA funds. Sharp seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Lindell then moved to adopt the resolution. Ingebritson seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Lindell then moved to treat the resolution as an emergency. Gaskey seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Resolution passed and treated as an emergency.

Council Member Lindell noted that leaf pick up is a big job, please be patient with our Maintenance guys. They will get to every house in the village. The leaf machine can only pick up leaves – make sure no sticks, rocks or concrete.

PUBLIC SAFETY: Firefighters Arnold and Buscemi were sworn in at the last meeting, but we need to do a formal resolution for each. Gaskey introduced and moved to the third reading **RESOLUTION 10-3, 2018 CONSENT OF COUNCIL TO THE APPOINTMENT BY THE MAYOR OF JUSTIN ARNOLD TO THE VOLUNTEER FIRE DEPARTMENT OF THE VILLAGE OF TERRACE PARK** Lindell seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Gaskey then moved to adopt the resolution. Sharp seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Gaskey then moved to treat the resolution as an emergency. Ingebritson seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Resolution passed and treated as an emergency.

Gaskey introduced and moved to the third reading **RESOLUTION 10-3, 2018 CONSENT OF COUNCIL TO THE APPOINTMENT BY THE MAYOR OF NICK BUSCEMI TO THE VOLUNTEER FIRE DEPARTMENT OF THE VILLAGE OF TERRACE PARK** Sharp

seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Gaskey then moved to adopt the resolution. Lindell seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Gaskey then moved to treat the resolution as an emergency. Ingebritson seconded. Gaskey, Lindell, LeMay, Ingebritson and Sharp voted aye. Resolution passed and treated as an emergency.

Gaskey then revisited the regulation of Under-speed, low-speed and utility vehicles. The state of Ohio passed a law that says if you want to have under-speed vehicles on your streets, then you must enact this legislation.

At the conclusion of the Safety meeting, the group agreed:

1. They should codify an ordinance that follows the state law. The main highlights of which are:
 - A. Vehicles must be inspected and approved by the Chief of Police or designee for compliance with safety/equipment requirements of the State of Ohio. Safety equipment is defined as: headlights, brakes, brake lights, tail lights, turn signals, a horn, windshield, rearview mirror, and street appropriate tires.
 - B. Chief will issue a sticker that signifies compliance
 - C. Owner will have to comply with a proper title, registration, and license plates
 - D. Because these vehicles are not meant to go up and down on Wooster Pike. Vehicles shall be permitted to travel not further than the nearest street in a 35 MPH zone.
 - E. Must be 16 years of age and a have valid driver's license.

In order for these vehicles to be permitted on the street, we must enact these regulations. Without the local authorization, these vehicles should not be on the streets.

11,000 cars pass through Terrace Park every day on US 50. Low Speed Vehicles will be legal on all streets with speed limit of 25, they will be legal on Wooster Pike in the 35 MPH zone in a limited manner and will enter and exit through the closest street. For example, those who live on Wrenwood cannot turn left as that is a 40 MPH zone. They can turn right and then turn right again. Carts can cross over Wooster. Carts can go anywhere in the Village except the 40 MPH zone. We looked at the path from Wrenwood to Denison, but we do not have enough of an easement through there to make it wide enough. You must have a valid drivers' license, temps are not enough. We have to adopt this as a minimum. We can make more requirements. For example, when first proposed, we wanted to have car seats required for children under 4 or under 40 pounds. The state law does not require seat belts and golf car manufacturers do not recommend them. However, you can have them installed after-market, but they will not be required. The driver must be able to use both hands (or have special equipment installed), the driver cannot hold a child in their lap. Owner must have proof of insurance as that is part of the inspection. Take the title, go to the BMV with TP inspection and get license plate. We will begin inspections after the law has passed. We can make it effective at a later date so people have time to comply.

Gaskey stated that we will put the specifics of the ordinance and Chapter 77 on terracepark.org website first thing tomorrow.

Alison Greiwe of 707 Myrtle stepped to the podium. She asked for clarification about license plates. She then asked if this will cover motorized scooters. By definition of this law, it clearly defines what low speed vehicles are. This law only covers things with 3 – 4 wheels. Motorized scooters are allowed on sidewalks. Gasoline powered scooters are against the law. Ms. Greiwe asked council to please also consider the safety of electric scooters as the kids do not stop at stop signs, are hard to see and often drive in front of moving vehicles.

With that Gaskey introduced for a first reading **ORDINANCE 10-1, 2018 AMENDING THE CODIFIED ORDINANCES FOR THE VILLAGE OF TERRACE PARK TO ADOPT CHAPTER 77 RELATED TO UNDER-SPEED, LOW-SPEED, AND UTILITY VEHICLES.**

We will have three readings of this ordinance and ask for public comment throughout that period. The law will not go into effect before January and we may not have inspections begin until May.

CONTINUED BUSINESS: None.

NEW BUSINESS: October 17 will be our New Residents' Open House at 7p.m. in the Community Building. Come one come all!

Council Member Gaskey motioned to adjourn. Voice Vote all voted "aye."

Respectfully submitted:

Hester Old Sullivan
Clerk of Council

Thomas M. Tepe, Jr.
Mayor