

RECORD OF PROCEEDINGS

Minutes of VILLAGE OF CLEVES Council Meeting Held on March 9, 2022

Mayor Stephen Myers began the Council Meeting at 7:00 P.M. with the Pledge of Allegiance. Roll Call was taken. Mr. Burns, Mrs. Brady, Mrs. Myers, Ms. Meister, and Ms. Boyce were present. Village Administrator Rahall and Solicitor Nicholas were also present.

Motion to Approve Previous Council Meeting Minutes from February 9, 2022 was made by Mrs. Myers; seconded by Mrs. Brady. ALL IN FAVOR.

A Motion to Adopt of Pay Ordinance #3-2022 was made by Mrs. Myers; seconded by Mrs. Brady. ALL IN FAVOR.

A Motion to excuse Mr. William's absence was made by Mrs. Myers; seconded by Mr. Burns. ALL IN FAVOR.

THREE RIVERS SCHOOL DISTRICT REPORT

Superintendent Mark Alt thanked Council for having him speak at the meeting, saying he hoped to be here more often. He stated that he had started at the Middle School here in 1982 and then left and returned in 1995 through 2002 as a Principal. He discussed the School District finances, saying he was not here to ask for money, but the District was watching its financial stability. He said they are expecting the Miami Fort Generating Plant to stop operating in 2027. He also said in the current climate that could happen sooner than that. He said the loss of revenue to the district is expected to be 2.4 to 2.8 million dollars when it closes which equals about 8 mills in income to the district. He stated they had received temporary income from federal COVID Funding, but it was one-time money that has to be spent by 2023. He discussed many of the positive things taking place in the schools. He explained that Whitewater Crossing Christian Church had donated \$50,000, which is earmarked for assisting families and their emotional needs. He said the goal is to grow that gift and have an ongoing program. He said April 1, 2022 they have a fine arts fundraiser that supports all their programs. He stated last year they created a 3Rivers Citizen Academy Network to allow community involvement in what's going on in the schools. He said there at 80 to 85 participants in those meetings. He announced that on April 21, 2022 they are holding a "Tea" with local real Estate Agents to let them know what is happening within the school district. Superintendent Alt discussed their "Step Up" program and the Strategic Branding Plan the District is implementing. He also announced that they are searching for a new district Treasurer. He said they are working on finding a treasurer, but they are hard to find. He said there are about 610 School Districts in the state, but only about 580 Certified Treasurers. He stated that in the interim they are using the Southwest School District Treasure for assistance until they can find the right person. He said the Theatre Program was having a live Musical for the first time since COVID, and they are working on a production of Annie. He said one of their award-winning Art students was having their work shown in the State House in Columbus. He said the Boys Basketball Team won their League for the first time in 30 years and the Coach was named Coach of the Year not only in the League, but in the District. They also had a Player of the Year in the League and District. He said the team advanced to the Sectional Finals. He also said a member of the boy's swim team broke a record he already held this year. The girls wrestling team advance to the state finals. There are two boy wrestlers that will be wrestling at the state competition. Academically they're also excelling. They have a program that allows the students to learn hands on project skills, similar to what used to be the old Industrial Arts programs. The schools have partnered with Ken Neyer Plumbing and an electrical contractor. There are over 200 students participating, and the program is a year long program. He said in closing, the Graduation Ceremony this year will be held May 15, 2022 at the Cintas Center. There are four National Merit Semi Finalist. All four scored in the top 2 percent in the nation and 2 actually scored in the top 1 percent.

HEARING OF THE PUBLIC

Ms. Monica Maddy said she had sent emails and pictures to the Village and wanted to know when it was going to end. Mayor Myers stated the issue he assumed she was addressing was being worked on by the Planning and Zoning Inspector. Ms. Maddy asked if we had any ordinances in this Village property or yard ordinance. The Mayor replied, yes, we have Ordinances. She said she would like to have copies of the Ordinance we have. She said that there are people living in sheds and there is human waste and needles everywhere. She stated that

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she thought after enough phone calls the Village would step in and shut a property down, Mayor Myers explained that he was doing what we can. He said again that the Planning and Zoning Inspector was doing all we could at this time.

Melissa Alejandro, 630 Coleberry Court, stated she was attending to discuss a water drainage issue in Coleman Woods. She stated there is a detention pond in the rear of her property, shared with a neighbor that was badly cracking. She explained that when she moved to the community there was water shooting down the hill behind her home. She said she was told there was a creek at the top of the hill. She feels the issue with the pond was never addressed properly by the developer, the Drees Company. She stated it's a Drees problem. She stated that there was never a Homeowner's Association formed, and the Homeowners Association was supposed to take care of the detention ponds, and Drees just left. She shared a picture with Council and the Mayor. She explained that Drees had not responded to letters about the issue. She said she didn't think the neighbors in the subdivision would form a Homeowners Association and she thinks they may have to go back to Drees, or Hamilton County or get a fund in place. She stated her neighbor could not afford to pay to fix the problem. Ms. Alejandro stated Drees knew about the issue in 2001 when she moved into her home.

SOLICITOR'S REPORT

RESOLUTION NO. 2 – 2022: Resolution Approving Participation in Region 2 Governance Structure Under The OneOhio Memorandum of Understanding

Fiscal Office, Jim Brett and Administrator Mike Rahall explained that this was the next step in Opioid Settlement to allow for a Board to be formed for our region, Hamilton County, so the Opioid Funds from the State settlement could be disbursed. Administrator Rahall stated that Council had approved the formation of the OneOhio Board to accept the Opioid Settlement negotiated by the State with the drug Manufacturers.

Mrs. Myers moved to approve Resolution No. 2-2022, seconded by Ms. Meister.

ALL IN FAVOR.

DEPARTMENTAL REPORTS

POLICE

Sgt. Mike Carney provide the statistics for February 2022 which included YTD 330 calls for service, 121 non-billable. The January calls included 3 criminal reports, 5, non-criminal, 4 auto accidents and 3 citations having been issued. Sgt Carney was asked about drug offences. He said looking at the breakdown there were only 2 drug related offences in February and one over-dose response. He said anyone with information on drug activity, or any issues was welcome to call his cell phone. The number is listed on the Bulletin Board in the Lobby. Mayor Myers asked the Sgt. to look at 119 North Miami to assist with the complaints there. Sgt. Carney said he would have the officers watch the property and that he would have Officer Peak, the Environmental Specialist get involved. He noted that Officer Peak had just worked with the Hamilton County Public Health department on a property on St. Rt. 128 in Whitewater Township, and while it is an ongoing project, they were successful in assisting the Township with the problem site.

FIRE

Fire Chief Brien Lacy was unable to attend. Administrator Rahall noted that the run totals for the past month and also the 2021-year end totals had been placed in the Council Packets. He said the department run totals for the Village for February, 2022 were 10 Fire details, and 27 EMS details.

SERVICE

Service Director Knuf stated they had been working on catch basins, creeks and ditches along the roadways. He said they have started on cleaning the park again after the most recent flooding. He explained that the storm water project for the Council Chamber – Police Building was out for bids, with the due date of next Wednesday, March 16, 2022. Mayor Myers requested they take a look at 634 Coleberry to examine the catch basins. Mr. Knuf said the catch basin at Coleberry and Laurelwood had been inspected and were scheduled for repairs in the next week. Mrs. Myers asked what caused the problem with the catch basin. Mr. Knuf explained the seal around the inlet pipe had failed and allowed the water to run along the exterior of the pipe and catch basin. A

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question from the audience was asked about the alley outside the Council Chamber – Police Building. Mr. Knuf said it would be regraded as part of the storm sewer project. Ms. Boyce asked how many Road Miles the Village was responsible for. Mr. Knuf said 18 Center Line miles. She asked how many people he had to treat the roads during the ice storm. Mr. Knuf replied one person and himself. Ms. Boyce stated she thought they did a great job with so little manpower.

WATER

Superintendent, Mr. Eric Winhusen stated 22.9 million gallons were pumped last month. He said Phase 2 of the water meter replacement and upgrade was nearing completion. He said Phase 3 should begin by the end of March. Mayor Myers asked Mr. Winhusen to send him the start date and information on the next phase so it could be posted on the website.

VILLAGE ADMINISTRATOR'S REPORT

Village Administrator, Mr. Mike Rahall, stated the Park was closed again due to flooding and the new playground installation was now scheduled for May. He said he is getting cost estimates for a surface coating for the Pickleball court area. He announced that a new Duke Energy power substation was going to be constructed at US 50 and Mt. Nebo Rd. He updated Council on the Sunset Ave. issue in North Bend. He stated that he had asked the Hamilton County Engineer's Office to look at the roadway. He stated the Engineers office could not spend money on the road since it was a Village of North Bend Road. He said they suggested North Bend attempt to obtain funding through the Hamilton County Integrated Committee. Mr. Rahall said the Levy would be discussed by Finance Committee Chairperson Mrs. Brady saying it was the greater part of the Committee discussion at this months Committee Meeting. He also reminded everyone that we now have two recycling bins at the Service Department Building as well as the one located at the Administration Building. He asked that when people find the bin full at the Administration Building that they take the materials to the Service Building.

COUNCIL REPORTS

PARKS

Mr. Burns stated the normal operations update was provided by Mr. Knuf to start the meeting. WCSA Soccer Representative Jane Branson had spoke with Mr. Rahall regarding parking areas that could be improved by adding gravel, specifically between two of the ball fields. The issue of foul balls was being explored because of the proposed parking area. Safety for the soccer parking and overall safety in the Park is the driving concern. Mr. Burns stated the TRCAA Baseball representative, Mr. Andy Messer, had addressed the Committee saying the fields required at least 1 truck load of Ball Field Dirt on the two main Fields. He said there was a general agreement that work on the fields would take place as soon as the flooding was over. Mr. Burns explained that the Committee was recommending a small sized Whiffle Ball League for families. Mr. Burns explained that teams consist of 3 people and he hoped to attract people area wide to participate. He said the League would not require a large amount of funding from the Village to get started. He estimates the total cost would not exceed \$1600.00 for the best set up, but they could get by for less while judging the level of participation. He plans to start the league after the baseball season, sometime in July. Mr. Burns stated Ms. Boyce had proposed a Yard of the Month Club. Mayor Myers stated the proposal had been discussed at the previous Parks Committee Meeting. Mr. Burns gave an overview and then asked Ms. Boyce to provide a more detailed explanation. Ms. Boyce provided a copy of the slide packet for council, at the beginning of the session, that was part of a presentation on How Garden Competitions Can Benefit Residents, Neighborhoods and the Planet by Jennifer Goldschneider, Program Coordinator, Hamilton County Master Gardener Volunteers. She stated she just wanted to bring the proposal up to see if anyone on Council had any questions. Mrs. Myers stated she would like to receive the slide deck electronically as well. Mr. Brett said he would send it to her, and to everyone. Mrs. Brady asked who would judge the yards. Ms. Boyce explained that it would be judged by a group of Community Volunteers, possibly a member of the Women's Club, Kiwanians, and perhaps a Master Gardner Club Student member. She stated no Council Members would be asked to be a judge. She also said the only involvement by the Village would be to present the award and post the winners on the Village website. The proposed awards

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would consist of a flag or yard sign and a \$25.00 Gift Certificate for the winners. An audience member asked if the competition would be open to the entire Village. Ms. Boyce answered yes. She also explained some of the judging criteria. Mrs. Myers asked about the funding for the awards. Ms. Boyce said the Kiwanians just had their best fundraiser ever and the Three Rivers Women's Club was going to meet in April and she expected they would provide some funding, as well as the Boy Scouts. Mayor Myers asked about a Nominating Process. Ms. Boyce said no Council Members yards would be eligible. The Mayor clarified that he just wanted to know if a yard had to be nominated in order to be eligible. Ms. Boyce said no, every yard would be eligible, except Council Members. Mrs. Myers asked for clarification on the Village's involvement, asking if the village would be responsible for any of the funds necessary for the program or the awards. Ms. Boyce stated No, the only Village involvement would be the placing of information and the winners on the Village website. Mrs. Myers asked if she had a timeframe in mind. Ms. Boyce said she would like to get it up and running by June. Mrs. Brady asked about the possibility that a homeowner may not want the recognition. Ms. Boyce said she thought everyone would enjoy the recognition. Mrs. Myers said she would like to see who the final committee members would be and what the parameters would be for the judging. Ms. Boyce asked what her question was – what her objection was, saying she just presented it. Mrs. Myers stated she did not have an objection, she just wanted to understand the proposal better and the members, who to direct questions to or how best for Council Members to respond to any inquiries received. Mrs. Myers suggested perhaps they should discuss it individually offline. An audience member interrupted the discussion and Mayor Myers reminded them this is a Council discussion. Ms. Boyce said she had presented this proposal at the Parks Committee Meeting and now was bringing it to full Council. Mrs. Myers reminded Ms. Boyce that she is not a member of the Parks Committee and this was her first introduction to the proposal. Mayor Myers interrupted the discussion saying that he believed Mrs. Myers was just asking for clarifications. Mrs. Boyce said it's all here in what I gave you. Mrs. Myers stated she felt there was additional information necessary to promote the program on the Village website, such as who do you contact if you are interested in being involved, what are the criteria for judging, because everything discussed was not in the handouts. Ms. Boyce asked if Mrs. Myers was not in favor of the program. She stated no, she was just trying to understand the proposal. Mr. Burns stated that what we really need is the typical who, what, when, where and why. Mayor Myers asked if there was a motion to call the question and move forward with the program.

**Ms. Brady motioned to move forward with the implementation of the Program, seconded by Ms. Meister
ALL IN FAVOR.**

FINANCE

Mrs. Brady stated that the main topic of discussion was the use of the Proposed Levy Funds. The Committee discussed what the Village could provide in the form of information on the use of the levy funds and how the Village could let residents know about the levy funds. She said Administrator Rahall and Mayor Myers were going to discuss the content of any mailer or website information with Solicitor Nicholas. She stated Mr. Rahall did not have a final Issue Number from the Board of Elections. The numbering was supposed to be available on March 4, but had been pushed back to March 18 due to the ongoing redistricting maps the Ohio Supreme Court had rejected. Mr. Nicholas stated that the Village was restricted by Section 9.03 of the Ohio Revised Code on what they could expend funds for regarding a proposed levy. He said it would be better if an Independent Committee was formed to distribute the information. He said there was a case which an email was sent to a mailing list regarding an Issue, which was a promotion of the Issue, not just facts. In that case the person who sent the mass email was charged with a first-degree misdemeanor. Ms. Meister asked about the allowable content and said if anyone was interested in setting up an independent committee they could contact her. Mr. Nicholas clarified a question on what Council Members could do, saying they had every right to personally promote the levy, speak with residents directly and explaining the need for the funds. They just could not be reimbursed for any expenses. Mayor Myers asked about holding an Open House, Mr. Nicholas said that would be acceptable if the discussion was open to General Interest not just the Levy. Mr. Nicholas said he was reaching out to the Attorney Generals Office to see if there were any more recent opinions. He noted that his recommendations were the safest most strict interpretations. Mrs. Myers asked if there was anything else they could do regarding an Independent Committee. Mr. Nichols asked Ms. Boyce if she had any folks who were

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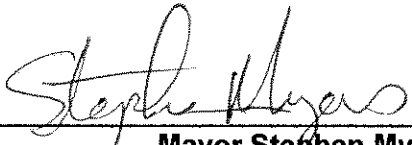
interested in helping that she has said showed interest on the last election. Ms. Boyce said she would work with Ms. Meister on getting them together.

Mayors Report

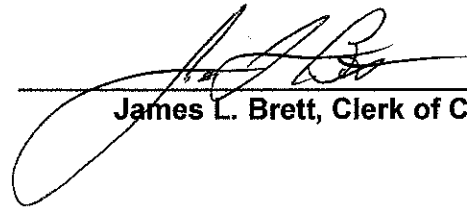
Mayor Myers said he had nothing more to add.

There being no further business:

**A Motion to Adjourn the Council Meeting at 7:59 P.M. was made by Mrs. Myers; seconded by Mrs. Brady.
ALL IN FAVOR.**



Mayor Stephen Myers



James L. Brett, Clerk of Council