

RECORD OF PROCEEDINGS
Minutes of the Silverton City Council Meeting
Held Thursday, October 19th, 2006

The Council of the City of Silverton met for a business meeting in Council Chambers at 6860 Plainfield Road at 7:00 pm on Thursday, October 19th, 2006. Mayor John Smith called the meeting to order.

OPENING REMARKS:

Councilman Sylvester led the prayer and Brendon Bryson, the October 2006 Student of the Month, led the Pledge of Allegiance.

ROLL CALL:

ELECTED OFFICIALS:

ALSO PRESENT:

John Smith	Mayor	Present	Mark Wendling	City Manager
Joyce Glover	Council	Absent	Bryan Pacheco	City Solicitor
Shirley Hackett	Council	Present	Meredith George	Clerk of Council
Mike Morthorst	Council	Present	Thomas Peterson	Finance Director
Mark Quarry	Council	Present	Michael Daudistel	Chief of Police
Frank Sylvester	Council	Present		
Idella Thompson	Council	Present		

Mayor Smith noted that Mrs. Glover was attending a funeral this evening and would not be present. Mrs. Thompson motioned to excuse Mrs. Glover. Mrs. Hackett seconded the motion. All present voted aye. Motion carried.

REVIEW MEETING AGENDA:

Mr. Quarry noted he would be making a motion to retire to executive session to discuss personnel matters later in the meeting.

APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Mayor Smith presented minutes from the following meetings for approval: September 21, 2006 Business Meeting and the October 5, 2006 Workshop. Mr. Sylvester motioned for approval with any necessary corrections and was seconded by Mrs. Hackett. All present voted aye. Motion carried.

MAYOR'S COMMENTS AND GUESTS:

1. Mayor Smith reminded all that our business meetings are viewable at home on Channel 17. Our meetings air on Friday at 7:30 p.m., Saturday at 10:00 a.m. and Tuesday at 3:00 p.m.
2. Councilwoman Thompson introduced Brendon Bryson, the Silverton Paideia October 2006 Student of the Month. Mayor Smith presented Mr. Bryson with a proclamation.
3. Mayor Smith noted there were two new police officers present to be sworn in. Mayor Smith introduced Charles "Chad" Roelker and his family. Mayor Smith then administered the oath to Officer Roelker. Mayor Smith then introduced Ryan Faehr and his family. Mayor Smith administered the oath to Officer Faehr.

4. Mayor Smith turned the floor over to Councilman Quarry who introduced Jim Osterwisch, president of the Osterwisch Company. The Osterwisch Company was recognized for its investment in the Silverton community. Mr. Quarry gave a background of the Osterwisch Company, highlighting their 60 years of dedication presence in Silverton. Mayor Smith presented Mr. Osterwisch with the Community Investment Award.
5. Mayor Smith noted that Halloween would be observed on Tuesday, October 31st from 6 – 8 p.m.
6. Mayor Smith read a letter written to Dottie Schwartz from Mr. Carl Lindner. Mr. Lindner generously gave the City of Silverton 1072 shares of American Financial Group stock. The approximate value is \$50,000. Mayor Smith and Council wished to thank Mr. Lindner for his generosity.

PUBLIC COMMENTS:

None.

OLD BUSINESS AND GENERAL COMMENTS:

None.

NEW BUSINESS AND COMMITTEE REPORTS:

1. Clerk of Court Report
Mrs. George gave the Mayor's Court Report for July, August and September 2006. Mr. Quarry motioned to approve the Mayor's Court Reports and was seconded by Mrs. Thompson. All voted aye. Motion carried.
2. Budget Report
Mr. Peterson gave the September 2006 Budget Report. Mr. Quarry asked if some funds will be streamlined. Mr. Peterson said he is working on it. Mrs. Hackett asked about the recycling fund. Mr. Wendling stated the revenue that the recycling fund generates is in the form of a county grant, which is a percentage of the total tonnage a city recycles. The grant money then must be used for recycling programs or to purchase recycled goods, such as waste containers and park benches. Mrs. Hackett motioned to approve the September 2006 Budget Report and was seconded by Mr. Sylvester. All present voted aye. Motion carried.
3. County Commissioner Phil Heimlich
Mayor Smith introduced Mr. Phil Heimlich who was present to address Council regarding Issue 12, the proposed ¼ cent increase to the county sales tax, the purpose being to fund construction of a new jail facility. Mr. Heimlich explained the importance of a new jail and how it would allow the County to streamline a variety of programs, such as rehabilitation programs. Mr. Quarry reiterated the importance of a new jail. Mayor Smith asked if home incarceration was an option. Mr. Heimlich explained that the County is already utilizing the home incarceration program. Mr. Sylvester asked why so many young men are being incarcerated. Mr. Heimlich stated he had no role in who is incarcerated, as he is not a judge or prosecutor. Mayor Smith thanked Mr. Heimlich for his presentation.

4. City Manager's Report

Mayor Smith turned the meeting over to Mr. Wendling to present his report.

4.1. Plainfield Road Improvement Project

Mr. Wendling stated the project is moving along, as the retaining walls are up and the curb work could start as soon as tomorrow. Mr. Wendling stated most of the "Right of Entry" forms have been signed as a result of diligence on the part of Pat Madl, Dave Emerick and Mr. Wendling. However, there are still a few that have not been returned. If those few remain unsigned their property will not be able to be restored properly. Mr. Wendling also reported that some residents have installed parking pads right of way. Due to new curbing the City will not be able to maintain or replace the pads. Mr. Wendling stated that the project is on schedule. Mrs. Hackett noted that the soil has been replaced at 6405 Plainfield Road, the residence of Ms. Brenda Dixon.

4.2. Emergency Plan for Silverton Paideia School

Mr. Wendling reported that Silverton Paideia is working on an Emergency Plan in conjunction with the City. Arrangements have been made for the children to go to Mt. Sinai Baptist Church in the event of an emergency.

4.3. Board Appointments

Mr. Wendling noted that Council was given a list of board members whose terms are expiring at the end of the year. Mr. Wendling suggested first contacting these members to determine whether or not they are interested in being reappointed.

4.4. NIMS Compliance

Mr. Wendling reminded Council to please take the NIMS test if they haven't already.

4.5. Sampson Lane Finalization

Mr. Wendling reported that he spoke with Bob Adleta earlier in the week and they were unable to finish on Sampson Lane due to the rain. Mr. Adleta is hopeful the project will be completed next week. The City is still holding the retainage until the project is finished. Mr. Emerick will also perform a final inspection.

4.6. Fall Newsletter

Mrs. George reported that the fall newsletter is complete and will be mailed out to residents sometime next week.

COMMITTEE REPORTS:

1. Councilwoman Hackett

Mrs. Hackett reported that the Civil Service Commission recently finished the oral interviews for all the applicants that passed the written examination. Mrs. Shea is compiling the list to present to the City Manager.

Mrs. Hackett reported that the proposed Beautification Commission has a meeting scheduled for Saturday, October 21st at 11:00 am at the Municipal

Building. All are welcome to attend. The ordinance creating the commission will be reviewed, along with a walk of the city to identify any ash trees or other trees that may possibly be diseased.

2. Councilman Morthorst

Mr. Morthorst reported that the Tax Review Board has been quiet; however the cases that have been heard and ruled on remain in compliance with the tax department.

Mr. Morthorst explained the two charter amendments that will be on the November ballot. Issue 35 is a “clean up” amendment, which will eliminate all references to the “Clerk-Treasurer” and “Fire Department.” Issue 36 will allow the City to streamline the bidding process and allow the City to hire one contractor for a capital project, rather than multiple contractors. If Issue 36 passes, it will allow the City to operate more efficiently. Councilwoman Hackett asked where voters could get an explanation of the issues. Mr. Wendling stated explanations are available on our website, an article will be in the fall newsletter and the Cincinnati Enquirer will run an article. Questions can also be answered by calling the City Building at 936-6240.

3. Councilman Quarry

Mr. Quarry stated he had no report for the HCSWD.

Mr. Quarry stated he had no report for OKI.

4. Councilwoman Thompson

Mrs. Thompson stated she had no report for ICRC.

Mrs. Thompson reported that the Fire District is working on its smoke detector replacement program and has distributed 450 detectors thus far. Mrs. Thompson also reported that the Board approved the purchase of four sets of body armor for the emergency crews, as they may have to respond to dangerous situations. Mrs. Thompson added that signs supporting the Fire Levy are available at the Fire House. Mr. Quarry asked if the banner was in place yet across Montgomery Road. Mr. Pacheco advised the City that it was not proper to place such a banner in the public right of way.

OPEN DISCUSSION / NEW ISSUES BY ELECTED OFFICIALS:

None.

INTRODUCTION OF NEW LEGISLATION:

Mr. Wendling introduced Ordinance 06-3228 An Ordinance Authorizing the City Manager to Enter into an Agreement with Fifth Third Securities, Inc. to Sell American Financial Group Stock and Declaring an Emergency.

Mr. Wendling reminded council that municipalities do not have the legal authority to hold securities under the Ohio Revised Code. The proposed ordinance will empower the City Manager to sell the securities for their cash value. Mr. Wendling

advised Council that it might want to earmark the proceeds for a specific purpose, be it now or in the future.

Mr. Wendling introduced Resolution 06-507 A Resolution Authorizing the City Manager to Enter into a Treasury Services Agreement with Fifth Third Bank.

Mr. Wendling introduced Resolution 06-508 A Resolution Accepting the Amounts and Rates As Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

Mr. Wendling introduced Resolution 06-509 A Resolution Designating Huntington Bank as a Depository for Public Funds for the City of Silverton as Defined in Section 135.31 of the Ohio Revised Code.

Mr. Wendling introduced Resolution 06-510 A Resolution Authorizing the City Manager to Enter into An Agreement with Cincinnati Bell for the Purpose of Providing Telephone Services to the City of Silverton.

READING OF PENDING LEGISLATION:

Mrs. George gave the reading of Ordinance 06-3228 An Ordinance Authorizing the City Manager to Enter into an Agreement with Fifth Third Securities, Inc. to Sell American Financial Group Stock and Declaring an Emergency. Mrs. Thompson motioned for passage and was seconded by Mr. Quarry. A roll call vote was taken. All present voted aye. Motion carried. Mrs. Thompson motioned to suspend the rules and was seconded by Mr. Quarry. A roll call vote was taken. All present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 06-507 A Resolution Authorizing the City Manager to Enter into a Treasury Services Agreement with Fifth Third Bank. Mrs. Hackett moved for passage and was seconded by Mr. Sylvester. A roll call vote was taken. All present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 06-508 A Resolution Accepting the Amounts and Rates As Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor. Mrs. Hackett motioned for passage and was seconded by Mrs. Thompson. A roll call vote was taken. All present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 06-509 A Resolution Designating Huntington Bank as a Depository for Public Funds for the City of Silverton as Defined in Section 135.31 of the Ohio Revised Code. Mr. Sylvester motioned for passage and was seconded by Mrs. Hackett. A roll call vote was taken. All present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 06-510 A Resolution Authorizing the City Manager to Enter into An Agreement with Cincinnati Bell for the Purpose of Providing Telephone Services to the City of Silverton. Mrs. Thompson motioned for passage and was seconded by Mrs. Hackett. A roll call vote was taken. All present voted aye. Motion carried.

MOTION TO ADJOURN TO EXECUTIVE SESSION:

Mr. Quarry motioned to adjourn to executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official and to discuss disputes involving the public body that are the subject of pending or imminent court action per ORC 121.22(G) 1. Mrs. Thompson seconded the motion. A roll call vote was taken. All present voted aye. Motion carried.

MOTION TO RECONVENE MEETING:

Mrs. Thompson motioned to reconvene the meeting and was seconded by Mrs. Hackett. All present voted aye. Motion carried.

MOTION TO ADJOURN MEETING:

Motion to adjourn was made by Mr. Morthorst and seconded by Mr. Sylvester. All present were in favor. Motion carried.

Meeting adjourned.

Respectfully submitted,

Meredith L. George
Clerk of Council

John A. Smith
Mayor

Mark T. Wendling
City Manager