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**RECORD OF PROCEEDINGS**

Minutes of the Silverton Village Council Meeting

Held Thursday, August 21, 2014

The Council of the Village of Silverton gathered for a business meeting in Council Chambers at 6860 Plainfield Road at 7:00 pm on Thursday, August 21, 2014. Mayor John Smith called the meeting to order.

**OPENING REMARKS:**

Mayor Smith led a moment of silent prayer, followed by the Pledge of Allegiance.

**ROLL CALL:**

**Elected Officials:**

* John Smith, Mayor Present
* Shirley Hackett-Austin, Council Present
* Mark Quarry, Council Present
* Frank Sylvester, Council Present
* Idella Thompson, Council Absent
* Dottie Williams, Council Present
* Franklin Wilson, Council Present

Mr. Wilson motioned to excuse Mrs. Thompson and was seconded by Mr. Sylvester. Motion carried by a unanimous voice vote.

**Also present:**

* Tom Carroll, Village Manager
* Meredith George, Clerk of Council
* Bryan Pacheco, Village Solicitor
* Bruce Molett, Chief of Police
* Tom Peterson, Finance Director
* Tim Casto, Village Engineer
* Juwanna Brown, Management Intern

**MAYOR’S COMMENTS AND GUESTS:**

Mayor Smith had several comments and announcements:

* Mayor Smith welcomed Ms. Brown, Management Intern, to tonight’s Council meeting.
* The National Night Out event held on August 5 was successful and well attended.
* The Block Watch Yard Sale will be on Saturday, September 13 from 9 a.m. to 4 p.m. in the Municipal Building parking lot.
* The first annual Family Fun Walk and Wellness Fair will be held on Saturday, October 4 from 9 a.m. to 11 a.m. in Ficke Park.
* The UDF is now closed to make way for the new building which will hopefully be open by the end of fall.
* The Neighborhood Town Hall meetings have been well received and will be held again next year on the second Tuesday of each month at varying locations during the months of May, June, July, August and September.
* Staff has been working on the event calendar for 2015 and Silverton will remain active in community engagement.

**APPROVAL OF MINUTES FROM PRIOR MEETINGS:**

Mayor Smith presented the minutes from the July 17, 2014 Council Meeting. Mr. Quarry moved to approve the minutes and the motion was seconded by Mr. Wilson. Motion carried by a unanimous voice vote.

**PUBLIC COMMENT:**

*Bev Carter – 4131 South Ave*Mrs. Carter asked if any type of recognition had been planned for Barry Larkin. Mayor Smith reported he has been in contact with the Larkin family but no concrete plans have developed, as Mr. Larkin spends much of his time in Florida.

Mrs. Carter voiced concerns over residents walking their dogs without leashes and also not cleaning up the animal waste. Mayor Smith advised Mrs. Carter to call the police when she witnesses this happening. The non-emergency number is 936-6220. As always, call 911 in case of an emergency.

*Wendell Bradford – 6757 Stoll Lane*   
Mr. Bradford echoed Mrs. Carter’s concerns about residents not keeping their dogs leashed and not cleaning up after them. Mr. Bradford reported there was a recent incident with Mr. Jason’s dog and he is concerned for the safety of his dogs. Mr. Bradford reported someone uses the lot across from the Post Office to train a pit bull with no leash regularly. Mr. Bradford also reported he has seen several pit bulls on Elwynne and Stoll Avenues.

*Nolan Jason – 6612 Stoll Lane*Mr. Jason reported the incident with his dog has been handled and every dog gets loose occasionally. Mr. Jason stated his dog was not vicious.

Mr. Jason noted the curb area on Oak Street between Plainfield and Stoll has numerous weeds and he did not know who is responsible for the weed removal.

**OLD BUSINESS AND GENERAL COMMENTS:**None.

**NEW BUSINESS AND COMMITTEE REPORTS:**

1. Village Manager’s Report
   1. *Road Rehab Presentation*Mr. Carroll presented a plan to Council to begin an aggressive road rehabilitation program for the Village of Silverton. Tonight’s agenda contains two pieces of legislation, and with Council’s approval, will get the program underway. There is a resolution awarding the contract to Howell Construction Company for the South Avenue Improvement project. There is also an ordinance which will appropriate funds for road work on North Fordham, West Fordham, Elm Avenue and South Avenue.

Mr. Carroll went on to outline a 2 year plan (2014-2015) which identifies 12 streets which could potentially be repaired. The streets are: South Avenue, Center Avenue, Blue Ash Road, West Fordham, North Fordham, Elm Street, Stewart Road, Sibley Avenue, South Broadlawn, North Broadlawn, Woodford, and Kenton. The repairs slated for 2014 are on: South Avenue, Center Avenue, Blue Ash Road at the entrance to Silverton, West Fordham, North Fordham and Elm Street. These items are addressed in the appropriations ordinance. The plan for 2015 is: apply for grants for Sibley and South Broadlawn, and mill and resurface North Broadlawn as a part of that project. Kenton Avenue will be discussed with UDF, but will be more challenging because it is a concrete street. The Stewart Road project will be from the south corporation line to the gas station and will be funded with TIF money from the BMW store project. A financial plan outlining the projects will be forthcoming. At the completion of all the projects listed the Village’s reserve will be approximately $1M. We currently have $1.5M in reserves, but $1M remains a healthy reserve balance for a community our size.

Mr. Quarry asked if all utility companies will be contacted to make sure they have no future plans on the same streets slated for repairs. Mr. Casto stated he would indeed check with all utility companies to coordinate any projects in hopes to prevent any construction on the newly paved streets. Mr. Quarry asked which type of curb will be installed on the streets requiring a total rebuild. Mr. Casto explained 6” vertical curbs would be installed.

Mr. Quarry mentioned an agreement with the City of Cincinnati regarding the maintenance of Woodford Road and Plainfield Road near the corporation line. Mr. Carroll will look into it and report back to Council.

* 1. *Staff Reports*

Mr. Carroll reported as outlined in the supplemental memo to Council he would like to discuss departmental reports with Council in the fall. Mr. Carroll asked Council to start considering what information they would like included in the reports.

* 1. *ODNR NatureWorks Grants*

Mr. Carroll noted the appropriation ordinance includes appropriating funds to the Ficke Park project and the Three Sisters Park project. Staff is asking that these specific line items be added to the budget to improve our chances of receiving the ODNR NatureWorks grants. The funds will not be spent in 2014 and will likely be appropriated again in 2015 if the grants are awarded. Mr. Carroll also reported that he has solicited the input and support from various community organizations to strengthen our applications. Mr. Carroll asked if Council thought it was appropriate to ask Block Watch for their support since they remain apolitical. Council was in agreement that there would be no issue with asking Block Watch to support the projects since they both will serve the residents of Silverton. Mrs. Williams asked if we have approached the Cincinnati Reds about helping with the ball field at Ficke Park. Mr. Carroll stated we have been denied by the Reds on three different occasions so we are trying a different funding approach. Mr. Sylvester suggested approaching the Lindner family for a donation.

1. Clerk of Court Report

Mrs. George gave the July 2014 Mayor’s Court Report. Mr. Sylvester motioned for approval and was seconded by Mrs. Williams. Motion carried by a unanimous voice vote.

1. Budget Report

Mr. Peterson gave the July 2014 Budget Report. Mr. Wilson motioned for passage and was seconded by Mr. Quarry. Motion carried by a unanimous voice vote.

Committee Reports/Open Discussion

* Mr. Hackett-Austin had no report.
* Mr. Wilson had no report.
* Mr. Quarry had no report but mentioned to Chief Molett and Lt. Butler that he received a complaint from a resident on Grace Avenue about the noise coming from H.D. Beans. Mayor Smith stated he has also received complaints on Wednesday nights. Mr. Wilson added he has seen activity outside that often spills over to the Art Garage parking lot.
* Mrs. Williams reported the Fire Board met recently. Topics discussed at the meeting were: an increase in EMS billing, fire engine repairs, recruitment for a firefighter/paramedic, National Night Out, and Chief Newman will be on medical leave in September for approximately two weeks. Mrs. Williams referenced the Police Report and asked who would take possession of any money confiscated and forfeited. Chief Molett reported the Prosecutor’s Office receives 20%, the Sheriff’s Office receives 40%, and the Village of Silverton received 40%.
* Mr. Sylvester had no report.
* Mr. Quarry congratulated Mr. Pacheco on being selected for the 2014 Best Lawyers list.

Introduction and Reading of New and/or Pending Legislation

Mrs. George gave the second reading of Ordinance 14-3404 An Ordinance Authorizing the Village Manager to Offer for Public Auction through Hamilton County On-Line Public Auction One Vehicle: A 2000 Chevrolet Impala. Mr. Wilson motioned for passage and was seconded by Mr. Sylvester. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the second reading of Ordinance 14-3405 An Ordinance to Reduce the Time Allotted to Property Owners to Pay Property Maintenance Invoices Resulting from Failure to Maintain Noxious Weeds and High Grass, Pursuant to Amending Section 91.73 of the Municipal Code of Ordinances. Mrs. Williams motioned for passage and was seconded by Mr. Sylvester. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the reading of Ordinance 14-3406 An Ordinance to Levy Special Assessments on Property for the Total Cost of Mitigating Noxious Weeds and High Grass Pursuant to Sections 91.70-.73 of the Municipal Code of Ordinances and R.C. 715.261 and Declaring an Emergency. Mr. Sylvester motioned for passage and was seconded by Mr. Quarry. A roll call vote was taken. All members present voted aye. Motion carried. Mrs. Hackett-Austin motioned to suspend the rules and was seconded by Mr. Sylvester. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the reading of Ordinance 14-3407 An Ordinance Authorizing the Issuance of a Performance Bond for the Mayor of Silverton, and Declaring an Emergency. Mr. Quarry motioned for passage and was seconded by Mr. Wilson. A roll call vote was taken. All members present voted aye. Motion carried. Mr. Wilson motioned to suspend the rules and was seconded by Mr. Quarry. A roll call vote was taken. All members present voted aye. Motion carried.   
  
Mrs. George gave the reading of Ordinance 14-3408 An Ordinance Levying an Assessment on Property Located at 5965 Stewart Road for the Total Cost of Removing Junk, Debris and Yard Waste and Other Nuisances Under Chapter 91 of the Municipal Code of Ordinances and Declaring an Emergency. Mrs. Williams motioned for passage and was seconded by Mr. Sylvester. A roll call vote was taken. All members present voted aye. Motion carried. Mr. Wilson motioned to suspend the rules and was seconded by Mrs. Williams. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the reading of Ordinance 14-3409 An Ordinance Levying an Assessment on Property Located at 6721 Plainfield Road for the Total Cost of Removing Junk, Debris and Yard Waste and Other Nuisances Under Chapter 91 of the Municipal Code of Ordinances and Declaring an Emergency. Mr. Wilson motioned for passage and was seconded by Mr. Sylvester. A roll call vote was taken. All members present voted aye. Motion carried. Mrs. Williams motioned to suspend the rules and was seconded by Mr. Wilson. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the reading of Ordinance 14-3410 Supplemental Appropriation Ordinance Number 1, Amending Ordinance 13-3381 and Revising Appropriations for the Expenses of the Village of Silverton, Ohio for the Fiscal Year 2014. Mr. Quarry motioned for passage and was seconded by Mr. Wilson. A roll call vote was taken. All members present voted aye. Motion carried.

Mrs. George gave the reading of Resolution 14-693 A Resolution Awarding the Contract for the South Avenue Improvement Project to the Howell Construction Company. Mr. Wilson motioned for passage and was seconded by Mrs. Hackett-Austin. A roll call vote was taken. All members present voted aye. Motion carried.  
  
Mrs. George gave the reading of Resolution 14-694 A Resolution Re-Specifying Locations for Posting Ordinances and Resolutions for Public View in Order to Provide for the Publication of all Ordinances and Resolutions. A roll call vote was taken. Sylvester – aye, Williams – aye, Quarry – aye, Wilson – aye, Hackett-Austin – nay. Motion carried 4-1. Mrs. Hackett-Austin voiced concerns about eliminating all the locations other than the municipal building for those residents that do not have computer access. Mrs. Hackett-Austin motioned to bring forth a resolution at the next council meeting that will re-add the posting of ordinances and resolutions on the bulletin board at the Train Station. Mrs. Williams seconded the motion. A roll call vote was taken. All members present voted aye. Motion carried.

**MOTION TO RETIRE TO EXECUTIVE SESSION:**

At 8:24 p.m., Mr. Quarry moved to retire to executive session to discuss pending or imminent litigation, per O.R.C. 121.22(G)(3). Mrs. Williams seconded the motion. Mrs. George took the roll call vote: Mr. Sylvester – aye, Mrs. Williams – aye, Mr. Quarry – aye, Mrs. Thompson – aye, Mr. Wilson – aye, Mrs. Hackett-Austin – aye. Motion carried.

At 8:43 p.m., Mrs. Williams motioned to end executive session. Mr. Sylvester seconded the motion. A roll call vote was taken. All members present voted aye. Motion carried.

**MOTION TO RECONVENE THE REGULAR SESSION:**

Mr. Wilson moved to reconvene the regular session. Mrs. Hackett-Austin seconded the motion. Motioned carried by a unanimous voice vote.

**ADJOURNMENT:**

Mr. Sylvester motioned for adjournment and was seconded by Mrs. Williams. All members present voted aye. Motion carried.

The meeting was adjourned at 8:44 p.m.

Respectfully submitted,

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Meredith L. George

Clerk of Council

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John A. Smith

Mayor