

City of Deer Park  
City Council Meeting  
Municipal Building  
June 22, 2020

President Daily opened the meeting at 7:00 pm with the Pledge of Allegiance and Prayer.

The Clerk of Council read the roll. Mr. Camp, Ms. Downs, Mr. Feldhaus, Mr. Lehane, Ms. Newsom, Mr. Rapp, Mr. Tassell. Mr. Tassell motioned to excuse Ms. Newsom. Mr. Camp seconded the motion. Motion carried by a unanimous voice vote.

### **Approval of Minutes**

Mr. Tassell motioned to approve the minutes from the June 8 2020 Council Meeting, Motion seconded by Mr. Feldhaus. Motion carried by a unanimous voice vote.

### **Presentation: Intern Program Update (Keeghan White, Ryan Feist)**

Keeghan White and Ryan Feist introduced themselves as part of our intern program. During their video presentation, they both shared information from their research from the Hamilton County Auditor's website which helped give home values along with current issues and opportunities. Mr. Jetter commented that he is learning as much from Mr. White and Mr. Feist as they are learning from him.

### **Public Comment – Citizens and Guests –**

*Kerry Baker – 4169 Webster Avenue* – Ms. Baker asked the interns if they gathered renter's vs. owner's information. Discussion ensued.

*Chris Hedger – 4128 St. John's Terrace* – Ms. Hedger asked if the part on the map where it is red and indicates low value includes Chamberlin Park. Discussion ensued. Ms. Hedger thanked the Deer Park Police Department for all they do and mentioned the issues with residents setting off fireworks over the 4<sup>th</sup> of July holiday.

### **Standing Committee Reports**

#### **Legislative and Finance Committee \*Chairman Charles Tassell**

#### **May 2020 Auditor/Treasurer Report**

Mr. Tassell announced that the May 2020 Auditor/Treasurer report is filed as reported.

**Resolution 2020-22 A RESOLUTION TO ADOPT THE PROPOSED BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 (Second Reading)** Mr. Tassell asked the clerk to read by title only Resolution 2020-22. So read. Mr. Tassell motioned to move Resolution 2020-22 to the third reading. Mr. Camp seconded the motion. Mr. Camp – yes, Ms. Downs – yes, Mr. Feldhaus – yes, Mr. Lehane – yes, Mr. Rapp – yes, Mr. Tassell – yes. Motion carried.

#### **RESOLUTION NO. 2020-24 A RESOLUTION DIRECTING THE PROPER EXPENDITURE AND HANDLING OF FUNDS RECEIVED FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND CONSISTENT WITH THE REQUIREMENT OF THE CARES ACT**

Mr. Tassell asked the clerk to read by title only Resolution 2020-24. So read. Mr. Tassell motioned to waive the three reading rule on Resolution 2020-24. Mr. Feldhaus seconded the motion. Mr. Camp – yes, Ms. Downs – yes, Mr. Feldhaus – yes, Mr. Lehane – yes, Mr. Rapp – yes, Mr. Tassell – yes. Motion carried. Mr. Tassell motioned to adopt Resolution 2020-24. Mr. Rapp seconded the motion. Mr. Camp – yes, Ms. Downs – yes, Mr. Feldhaus – yes, Mr. Lehane – yes, Mr. Rapp – yes, Mr. Tassell – yes. Motion carried.

**ORDINANCE 2020-25 AN ORDINANCE APPROVING THE SUBMISSION OF THE PROPOSED CITY OF DEER PARK CHARTER TO VOTERS AND DECLARING AN EMERGENCY**

Mr. Tassell asked the clerk to read by title only Ordinance 2020-25. So read. Mr. Tassell motioned to waive the 24 hour rule on Ordinance 2020-25. Mr. Lehane seconded the motion. Mr. Camp – yes, Ms. Downs – yes, Mr. Feldhaus – yes, Mr. Lehane – yes, Mr. Rapp – yes, Mr. Tassell – yes. Motion carried. Mr. Tassell motioned to waive the three reading rule on Ordinance 2020-25. Mr. Rapp seconded the motion. Mr. Camp – yes, Ms. Downs – yes, Mr. Feldhaus – yes, Mr. Lehane – yes, Mr. Rapp – yes, Mr. Tassell – yes. Motion carried. Mr. Tassell motioned to adopt Ordinance 2020-25. Mr. Camp seconded the motion. Mr. Camp – yes, Ms. Downs – yes, Mr. Feldhaus – yes, Mr. Lehane – yes, Mr. Rapp – yes, Mr. Tassell – yes. Motion carried.

**Safety Committee \*Chairman Tom Camp**

Mr. Camp mentioned that the Governor will address the issue regarding body cams for law enforcement. Discussion ensued.

**Public Works Committee \*Chairman Dan Lehane**  
**Orchard Lane Water Main Project**

Mr. Lehane announced that we are waiting on a true cost assessment on the Orchard Lane water main project. Discussion ensued.

**2020 Street Program**

Mr. Lehane announced that the road project will begin in mid-July.

**Clifford Road**

Mr. Jetter announced that the water tie ins are in progress on Clifford Road.

**Blue Ash Road**

Mr. Jetter stated that the water lines are being tied in on Blue Ash Road and should be finished this week. The storm sewer work will start after that.

**Correspondence (Clerk of Council) & Miscellaneous** – None

**Citizen Questions or Comments on Agenda Thus Far** – None

**Reports from other City Officials**

**Treasurer** – None

**Law Director Executive Session**

Mr. Tassell motioned to go into executive session for the purpose of pending litigation and to include council members, Mayor Donnellon, President Daily, Mr. Helmes, Mr. Applegate and Mr. Jetter. Mr. Camp seconded the motion. Mr. Camp – yes, Ms. Downs – yes, Mr. Feldhaus – yes, Mr. Lehane – yes, Mr. Rapp – yes, Mr. Tassell – yes. Motion carried.

Executive session began at 7:36 pm. Executive session ended at 7:45 pm.

A public body may only discuss matters specifically identified in R.C. 121.22(G) in executive session and may only hold executive sessions at regular and special meetings.<sup>1014</sup> One court has held that a public body may discuss other, related issues if they have a direct bearing on the permitted matter(s).<sup>1015</sup> If a public body is challenged in court over the nature of discussions or deliberations held in executive session, the burden of proof lies with the public body to establish that one of the statutory exemptions permitted the executive session.<sup>1016</sup>

A public body may adjourn into executive session with the public body's attorney to discuss a pending or imminent court action.<sup>1033</sup> Court action is "pending" if a lawsuit has been commenced, and it is "imminent" if it is on the brink of commencing.<sup>1034</sup> Courts have concluded that threatened litigation is imminent and may be discussed in executive session.<sup>1035</sup> A public body may not use this exemption to adjourn into executive session for discussions with a board member who also happens to be an attorney. The attorney should be the duly appointed counsel for the public body.<sup>1036</sup>

**Auditor** – None

**Safety Service Director** – Mr. Jetter announced the following:

- A better deal for the city on the TIF will take place on June 23 at 11 am.
- A recent auction on city equipment brought in \$6137.50 along with a new policy regarding titles and bill of sale needed first.
- Our Maintenance Department is working hard on many projects.
- The city building needs a new roof and although more expensive, the cost for a lifetime replacement is a better investment.
- Mr. Jetter has a phone call this Thursday with Commissioner Driehaus regarding a distribution of funds coming from the state.

**Mayor** – Mayor Donnellon announced that Mr. Tassell has resigned as of July 15, 2020. Mr. Tassell's last meeting will be July 13, 2020. Mayor Donnellon mentioned that Governor DeWine inaccurately reported 45236 as a COVID-19 hotspot. It is actually 45238 that is a hotspot. The park is open and Music in the Park will take place on June 27 and July 3. Mayor Donnellon wished everyone a safe and happy July 4<sup>th</sup>!

### **Schedule**

June 25, 2020 WTC Committee Meeting 4:00 pm Community Room

July 6, 2020 Council Committee Meeting 7:00 pm

July 13, 2020 Council Meeting 7:00 pm

### **Community Meetings**

Saturday June 27, 2020 Music in the Park 8:00 pm – 11:00 pm

Friday July 3, 2020 Music in the Park (Fourth of July Celebration) 8:00 pm – 11:30 pm

### **Adjournment**

Ms. Downs motioned to adjourn. Mr. Feldhaus seconded the motion. Motion carried by a unanimous voice vote. Meeting adjourned at 7:56 pm.

---

Shaughn Daily  
President of Council

---

Joan E. Perin  
Clerk of Council