

City of Deer Park  
City Council Meeting  
Municipal Building  
November 11, 2019

President Daily opened the meeting at 7:00 pm with the Pledge of Allegiance and Prayer and a moment of silence for our veterans.

The Clerk of Council read the roll. Mr. Camp, Ms. Culver, Mr. Gavin, Mr. Lehane, Ms. Newsom, Mr. Rapp, Mr. Tassell. Mr. Lehane motioned to excuse Mr. Tassell and Ms. Newsom seconded the motion. Mr. Camp – yes, Ms. Culver – yes, Mr. Gavin – yes, Mr. Lehane – yes, Ms. Newsom – yes, Mr. Rapp – yes. Motion carried.

### **Approval of Minutes**

Mr. Camp motioned to approve the minutes from the October 28 Council Meeting and the November 4 Committee Meeting. Motion seconded by Mr. Rapp. Mr. Camp – yes, Ms. Culver – yes, Mr. Gavin – yes, Mr. Lehane – yes, Ms. Newsom – yes, Mr. Rapp – yes. Motion carried.

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

*Kerry Baker – 4169 Webster Avenue* – Ms. Baker mentioned that she has concerns about the speeding happening on Webster Avenue and the fact that there are children with special hearing needs that live on this street. Mr. Jetter stated he will get a sign put there and have police patrol for speeding.

*Chris Hedger – 4128 St. John's Terrace* – Ms. Hedger thanked all of our veterans here tonight and everywhere and asked that we please remember one of our own: Army Sgt. 1<sup>st</sup> Class Gregory S. Rogers who made the ultimate sacrifice on April 9, 2006.

*Carl Marshall – 3827 O'Leary Avenue* – Mr. Marshall thanked the city on the great patch up job that was completed on his street recently.

### **Standing Committee Reports**

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

#### **Veteran's Day**

Mr. Camp took a moment to thank all veterans and mentioned what a great Veteran's Day program Amity Elementary had this morning.

#### **ORDINANCE 2019-28 REAPPROPRIATIONS OF ACCOUNTS AND FUNDS AND DECLARING AN EMERGENCY**

Mr. Camp asked the Clerk to read ORDINANCE 2019-28. So read. Mr. Camp motioned to waive the three reading rule for ORDINANCE 2019-28. Ms. Newsom seconded the motion. Mr. Camp – yes, Ms. Culver – no, Mr. Gavin – no, Mr. Lehane – yes, Ms. Newsom – yes, Mr. Rapp – yes. Motion not carried. Mr. Camp motioned to move ORDINANCE 2019-28 to the second reading. Mr. Lehane seconded the motion. Ms. Culver asked questions of Mr. Applegate regarding Tax Department Equipment Maintenance, Information Tech Support, Building Department Salaries, Street Repairs, Road Construction Clifford and Remodeling Expenses. Mr. Camp – yes, Ms. Culver – yes, Mr. Gavin – yes, Mr. Lehane – yes, Ms. Newsom – yes, Mr. Rapp – yes. Motion carried.

#### **ORDINANCE 2019-10 AN ORDINANCE PERMITTING PROPERLY LICENSED INDIVIDUALS WITH OHIO CONCEALED HANDGUN PERMITS TO CARRY CONCEALED HANDGUNS INSIDE THE FRANCIS R. HEALY COMMUNITY CENTER (THIRD READING)**

Mr. Camp motioned to amend the minutes from July 8, 2019 for

ORDINANCE 2019-10 as it did not pass. Mr. Rapp seconded the motion. Mr. Camp – yes, Ms. Culver – yes, Mr. Gavin – yes, Mr. Lehane – yes, Ms. Newsom – yes, Mr. Rapp – yes. Motion carried.

Mr. Tassell motioned to adopt Ordinance 2019-10. Mr. Camp seconded the motion. Mr. Camp – yes, Mr. Gavin – no, Mr. Lehane - abstain, Ms. Newsom – no, Mr. Tassell – yes, Motion tied. President of Council voted to break the tie. President Daily – yes. ~~Motion carried.~~ The motion was lost. (Note: Pursuant to Ohio Revised Code 731.17(4), each ordinance or resolution shall be passed by at least a majority of all the members of the legislative authority. Accordingly, four votes in support are needed to pass an ordinance for a council comprised of seven members)

**ORDINANCE 2019-29 AN ORDINANCE PERMITTING PROPERLY LICENSED INDIVIDUALS WITH OHIO CONCEALED HANDGUN PERMITS TO CARRY CONCEALED HANDGUNS INSIDE THE FRANCIS R. HEALY COMMUNITY CENTER AND PARK CONCESSION BUILDING**

Mr. Camp asked the Clerk to read ORDINANCE 2019-29. So read. Mr. Camp motioned to move ORDINANCE 2019-29 to the second reading. Mr. Lehane seconded the motion. Ms. Culver stated that she did not think we should vote on this ahead of the state and feels that these buildings don't meet the guidelines of a government building. Mr. Camp – yes, Ms. Culver – no, Mr. Gavin – no, Mr. Lehane – yes, Ms. Newsom – yes, Mr. Rapp – yes. Motion carried.

**ORDINANCE 2019-30 AN ORDINANCE ESTABLISHING THE ANNUAL SALARY FOR THE CITY AUDITOR**

Mr. Camp asked the Clerk to read ORDINANCE 2019-30. So read. Mr. Camp motioned to move Ordinance 2019-30 to the second reading. Ms. Newsom seconded the motion. Mr. Gavin motioned that his original motion, *that no elected official shall receive an increase in pay for the next term*, be voted on first. Ms. Culver seconded this motion. Discussion ensued. Mr. Camp – no, Ms. Culver – yes, Mr. Gavin – yes, Mr. Lehane – no, Ms. Newsom – no, Mr. Rapp – no. Motion not carried. A vote was then taken for Ordinance 2019-30 to be moved to the second reading as stated previously. Mr. Camp – yes, Ms. Culver – no, Mr. Gavin – no, Mr. Lehane – yes, Ms. Newsom – yes, Mr. Rapp – yes. Motion carried.

**Safety Committee \*Chairman Tom Camp**  
**Police Report October 2019**

Ms. Newsom reported that in the month of October there were 189 calls on first shift, 329 on second shift and 171 on third shift. Ms. Newsom went over the highlights of the police report which included domestic situations and car break ins.

**Fire Report October 2019**

Mr. Lehane reported that in our total district in the month of October there were 221 runs with a total of 2111 for the year so far. In Deer Park the totals were 54 EMS runs and 5 fire runs.

**Public Works Committee \*Chairman Mike Rapp**

Mr. Jetter announced that we will be putting down salt overnight with the impending weather. The Clifford Road bid has been moved to Friday. Ms. Culver asked Mr. Jetter to send an email out to council after the process is completed.

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

**New Business**

Ms. Culver made a motion to have charter notifications and council meetings sent by email. Mr. Gavin seconded the motion. Discussion ensued. Ms. Culver withdrew her motion so that Mr. Jetter may find out more information regarding this request.

## **Citizen Questions or Comments on Agenda Thus Far-**

*Kerry Baker – 4169 Webster Avenue* – Ms. Baker asked if there is a rule regarding concealed carry near or so far from the former Howard school, which is now occupied. Chief Schlie stated that the concealed carry law refers to on school property only.

*Chris Hedger – 4128 St. John’s Terrace* – Ms. Hedger asked Ms. Culver a question on her email idea for the charter commission and city council meeting notifications with a concern as not to send too many emails and flooding someone’s inbox. Ms. Culver agreed that is a good idea. Ms. Hedger also asked Ms. Culver if she understands it correctly that Ms. Culver and Mr. Gavin are potentially opening up the city to lawsuits based on them both voting no on Ordinance 2019-29. Ms. Culver stated that she has nothing to say to Ms. Hedger on this issue. A few reactions were heard from some in attendance in the audience. Ms. Culver asked President Daily “Where’s your gavel now Mr. President?” President Daily warned that he was close to gaveling Ms. Culver.

## **Reports from other City Officials**

**Treasurer** – None

**Law Director** – Mr. Helmes stated that there is a class action lawsuit regarding the opioid crisis and that if we do not want to be a part of it we must withdraw by 11/27/19. If we wish to stay in then we do nothing and no paperwork would need to be done.

**Auditor** – None

**Safety Service Director** – Mr. Jetter announced that the Blue Ash Road groundbreaking ceremony will take place on November 21 at 11 am. Mr. Jetter presented council with drawings and an idea for a new community center. Mr. Jetter stated that a business with a pastry shop may be interested in moving into the old Car Rock location and we are also looking for someone to move into the old Barresi’s restaurant building. Duke will use the old bowling alley property for a staging location. The brush pick up is delayed due to the chipper being down. Mayor Donnellon asked about the lighting on Blue Ash Road. Discussion ensued.

**Mayor** – Mayor Donnellon thanked everyone that participated in the Chili Challenge and mentioned that Ms. Downs won for best taste. Mayor Donnellon also reminded all to be careful in the changing weather.

## **Schedule**

November 14, 2019 “We Thrive” meeting at 7:00 pm at the Community Room

November 19, 2019 Block Watch meeting at 7:00 pm at the Community Center

November 25, 2019 Council Meeting at 7:00 pm

City offices Closed November 28 & 29 for Thanksgiving Holidays

## **Events**

November 21, 2019 at 11:00AM Blue Ash Road Construction Groundbreaking

## **Adjournment**

Mr. Camp motioned to adjourn. Mr. Rapp seconded the motion. Mr. Camp – yes, Ms. Culver – yes, Mr. Gavin – yes, Mr. Lehane – yes, Ms. Newsom – yes, Mr. Rapp – yes. Motion carried. Meeting adjourned at 8:00 pm.

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Shaughn Daily  
President of Council

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Joan Perin  
Clerk of Council