

City of Deer Park
City Council Meeting
Municipal Building
September 10, 2018

President Comer opened the meeting at 7:00 pm with the Pledge of Allegiance and prayer. The Clerk read the roll. Ms. Culver, Mr. Daily, Mr. Tassell, Mr. Rapp, Ms. Newsom, Mr. Gavin, Mr. Camp.

Adopting of the Agenda

Mr. Camp motioned to adopt the agenda for this evening. Ms. Newsom seconded the motion. Motion carried by a unanimous voice vote.

Approval of Minutes

Mr. Tassell motioned to approve the August 13, 2018 Council Meeting minutes and the amended minutes from the September 4, 2018 Committee Meeting. Mr. Daily seconded the motion. Ms. Culver – no, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – no (on 9/4/18) – yes (on 8/13/18), Mr. Camp – yes. Motion carried.

Special Presentation: Mike Hinnenkamp – The Ohio Plan Staffing Performance Assessment

Mr. Mike Hinnenkamp identified himself as the Executive Director of The Ohio Plan Staffing Performance Assessment and spoke to council regarding what our staffing needs might be and stated that he is here to answer questions. Mr. Jetter, Ms. Culver and Mr. Gavin asked questions. Discussion ensued.

Public Comment – Citizens and Guests –

Ann Brookbank – 7218 Delaware Avenue – Mrs. Brookbank expressed concern as to the unprofessionalism of the council at the September 4, 2018 Committee Meeting as she felt disappointed. Mrs. Brookbank also asked if she is not allowed to go to her Ward person with questions as she feels she can talk to some Ward persons and not able to talk to other Ward persons. Mayor Donnellon asked which Ward Mrs. Brookbank lives in to which Mrs. Brookbank replied Ward 1.

Chris Hedger – 4128 St. John’s Terrace – Ms. Hedger stated that she is concerned that City Council chose to strike out comments from the minutes that a resident made several meetings ago and noticed that tonight minutes were attempted to be changed and asked “what are we afraid of”?

Standing Committee Reports

Legislative and Finance Committee

RESOLUTION 2018-29 A RESOLUTION WITHDRAWING THE CITY’S OBJECTION TO THE RENEWAL OF THE D5 AND D6 LIQUOR PERMIT NUMBER 42880982 CURRENTLY HELD BY JILL MAE, INC, dba CAR ROCK CAFÉ, LOCATED AT 7912 BLUE ASH ROAD, DEER PARK, OHIO 45236 AND DECLARING AN EMERGENCY Mr. Tassell asked the Clerk to read Resolution 2018-29. So read. Mr. Tassell motioned to waive the three reading rule. Mr. Daily seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – no, Mr. Camp – yes. Motion carried. Mr. Tassell motioned for adoption. Mr. Daily seconded the motion. Mr. Gavin asked questions. Discussion ensued. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried.

ORDINANCE 2018-30 RE-APPROPRIATION OF ACCOUNTS AND FUNDS AND

DECLARING AN EMERGENCY Mr. Tassell asked the Clerk to read Ordinance 2018-30. So read. Mr. Tassell motioned for adoption. Mr. Daily seconded the motion Ms. Culver – no, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – no, Mr. Camp – yes. Mr. Tassell motioned to move to the second reading on September 24, 2018. Ms. Newsom seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried.

RESOLUTION 2018-31 A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE BUDGET SURPLUS IN MUNICIPALITIES Mr. Tassell asked the Clerk to read Resolution 2018-31. So read. Mr. Tassell motioned to waive the three reading rule. Ms. Newsom seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried. Mr. Tassell motioned for adoption. Mr. Daily seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried.

ORDINANCE 2018-32 AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO AN ASSESSMENT AGREEMENT WITH GREATER CINCINNATI WATER WORKS FOR A LEAD SERVICE LINE REPLACEMENT PROGRAM AND DELCARING AN EMERGENCY Mr. Tassell asked the Clerk to read Ordinance 2018-32. So read. Mr. Tassell motioned to waive the three reading rule. Ms. Newsom seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried. Mr. Tassell motioned for adoption. Mr. Daily seconded the motion. Mr. Gavin asked questions. Discussion ensued. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried.

RESOLUTION 2018-33 A RESOLUTION AUTHORIZING WILLIAM A. JETTER, SAFETY-SERVICE DIRECTOR, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS(S) AND TO EXECUTE CONTRACTS AS REQUIRED Mr. Tassell asked the Clerk to read Resolution 2018-33. So read. Mr. Tassell motioned to waive the 24 hour rule. Mr. Daily seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried. Mr. Tassell motioned to waive the three reading rule. Ms. Newsom seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried. Mr. Tassell motioned for adoption. Mr. Daily seconded the motion. Mr. Gavin asked questions. Discussion ensued. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried.

ORDINANCE 2018-35 AN ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY-SERVICES TO ESTABLISH A FIRE LANE ON MONTICELLO AVENUE, AND DECLARING AN EMERGENCY Mr. Tassell asked the Clerk to read Ordinance 2018-35. So read. Mr. Tassell motioned to waive the three reading rule. Mr. Daily seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried. Mr. Tassell motioned for adoption. Mr. Camp seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried.

RESOLUTION 2018-34 A RESOLUTION AUTHORIZING THE DIRECTOR OF SAFETY-SERVICES TO SELL SURPLUS VEHICLES ON THE HAMILTON COUNTY INTERNET SURPLUS AUCTION, AND DECLARING AN EMERGENCY- 2005 CHEVROLET IMPALA MIN. BID \$250.00 - 2001 DODGE RAM PICKUP TRUCK MIN. BID \$500.00 - 1995 JOHN DEERE 72” MOWER MIN. BID \$500.00 - EXMARK COMMERCIAL MOWER MIN. BID \$500.00 Mr. Tassell asked the Clerk to read Resolution 2018-34. So read. Mr. Tassell motioned to waive the 24 hour rule. Mr. Camp seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried. Mr. Tassell motioned to waive the three reading rule. Ms. Culver seconded the motion. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried. Mr. Tassell motioned for adoption. Ms. Newsom seconded the motion. Ms. Culver asked Mr. Jetter to explain

2018-34. Ms. Culver – yes, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Gavin – yes, Mr. Camp – yes. Motion carried.

Safety Committee

Police Report and Fire District Report August 2018

Mr. Camp announced that both the police and fire reports from August 2018 will be presented at the September 24, 2018 council meeting.

Public Works Committee

O’Leary Ave Road Update

Mr. Jetter announced that the water main was installed and the O’Leary project is coming along with a few things to finish up. Mr. Jetter stated that he will keep council posted.

2018 Road Projects Updates

Mr. Jetter announced that the Onyx and Reclaimite work is done. The weather has been holding us back. Ms. Culver asked questions. Discussion ensued.

St. John’s Bike Path Connector

Mr. Jetter announced that he wanted to bring council up to speed on the St. John’s Bike Path Connector. The first part is the engineering grant of \$190, 000, which was awarded to us. The rest of the project has to be bid out for 2019-2020 and we are waiting on the State for this.

Domino’s Pot Hole Program

Mr. Jetter announced that the Domino’s Pot Hole Program is a good one. The customer has to call to their local Domino’s to report pot holes. Ms. Culver suggested that everyone go online and put in our zip code for this program to help our city. Discussion ensued.

Leaf Pickup

Mr. Jetter announced that we will begin seeing the transition from brush trucks to leaf trucks shortly as leaf pickup will begin in October.

Correspondence (Clerk of Council) & Miscellaneous – Ms. Perin read an invitation inviting all to the New Silverton Town Hall dedication event on Saturday September 15 from 11 am – 2 pm. The dedication and ribbon cutting will take place at noon on the front steps.

New Business –

Mr. Rapp motioned that Council Member Gavin be Censured, for the second time, due to the violations of Roberts Rules of Order in Chapter 12, Section 43, and Chapter 20, Section 61, at the Committee Meeting on September 4th and with this Censure cautioned Council Member Gavin again of the seriousness of these breaches of order and stated he wanted to make it clear that as a public official, there are legal expectations of his behavior, especially with regard to disrupting City business. Mr. Rapp read that as a Statutory City, these violations are a violation of the Ohio Revised Code and that Council Member Gavin yet again attacked another Council Member personally and proceeded to disrupt the Legislative and Finance Committee, repeatedly refusing to follow the orders of the Acting President of Council to come to order, and due to the obstinate and grave breach of order, it finally resulted in the adjournment of the meeting, denying the Legislative and Finance Committee the ability to complete their work, and denying the Committees on Safety and Public Works from meeting, as well as the Council from participating in a planned Executive Session, the previous meeting had to be adjourned due the obstinate disruption of Council Member Gavin. This meeting is the most prompt opportunity to address the breach, per Robert’s Rules of Order under Chapter 20, Section 61, and as the violations are a direct violation of both ORC and Robert’s Rules of Order, the instructions to Censure are clear. A roll call vote was taken: Ms. Culver – no, Mr. Daily – yes, Mr. Tassell – yes, Mr. Rapp – yes, Ms. Newsom – yes, Mr. Camp – yes. Motion carried.

Discussion ensued regarding which Robert's Rules of Order book is to be officially used. Ms. Culver made a motion to adopt the book that Mr. Tassell uses as the official Robert's Rules of Order (The newly revised 11th edition) Mr. Gavin seconded the motion. Ms. Culver withdrew her motion and tabled naming the official Robert's Rules of Order book until September 24, 2018.

Mr. Gavin read from the State Auditor's Report and letter dated July 2, 2018 which listed multiple violations within noncompliance findings. President Comer stated that this is an item that we can put on the agenda for a Committee Meeting.

Citizen Questions or Comments on Agenda Thus Far –

Chris Hedger – 4128 St. John's Terrace – Ms. Hedger inquired as to when the St. John's Bike Path Connector will be done and made comments of concern regarding issues in passing Ordinance 2018-30 since two council members voted no.

Reports from other City Officials

Treasurer – None

Law Director – None

Auditor – None

Safety Service Director – None

Mayor – Mayor Donnellon read 2 Proclamations for National Suicide Prevention Month and Prostate Cancer Awareness Month.

Mayor Donnellon announced that we will receive a refund of \$11,383.43 from the Hamilton County Auditor's Real Estate Assessment Fund.

Mayor Donnellon announced that the following people were appointed to the Park Board. Amy Jaworek, 4389 Matson Avenue as of 8/21/18, Richie Meece, 3911 St. John's Terrace as of 8/7/18.

Mayor Donnellon stated he received a letter from Deer Park High School inviting City Council to march in the Homecoming Parade on Friday September 21. Meet at St. John's church parking lot at 5:15 pm.

Schedule

Monday September 24, 2018 Council Meeting 7 pm

Thursday September 27, 2018 World Trade Center Committee Meeting 4:00 pm

Monday October 1, 2018 Council Committee Meeting 7 pm

Events

Saturday September 15, 2018 Music in the Park 8 pm – 11 pm

Wednesday September 26, 2018 Stop the Bleed Program 7pm Community Center

Thursday September 26, 2018 We Thrive Community Meeting 7 pm City Building

Saturday September 29, 2018 Music in the Park 8 pm – 11 pm

Adjournment

Meeting adjourned at 8:14 pm.

Joseph W. Comer
President of Council

Joan E. Perin
Clerk of Council