

**CITY OF READING, OHIO
COUNCIL MEETING MINUTES – REGULAR SESSION
FEBRUARY 04, 2020 - 7:30PM**

CALL TO ORDER

President of Council Cris Nesbitt called the meeting to order at 7:30PM.

INVOCATION AND PLEDGE

Mr. Nesbitt led those in attendance in a Lord's Prayer and the Pledge of Allegiance.

ROLL CALL

Council Members Present: Mr. Powell, Mr. Gertz, Mr. Lynd, Mr. Lindeman, Mr. Fischesser & Mrs. Eadiciccio. Motion made by President of Council Cris Nesbitt to excuse Mr. Albrinck. Motion carried by voice vote.

OTHER CITY OFFICIALS PRESENT:

Law Director Dave Stevenson, Treasurer Mel Gertz & Clerk of Council Carla Kacher.

AUDIENCE PARTICIPATION – None.

COMMUNICATIONS – None.

COUNCIL COMMITTEE REPORTS

FINANCE: Anthony Gertz

- Wants to have more investigation into the proposed ordinance for fees for the City of Reading Parks, Programs and Recreational Facilities.

UTILITIES, LANDS & BUILDINGS: Don Lindeman

Excerpts taken from Nope Newsletter 1/27/2020

Approval of Duke's Central Corridor Pipeline has been put on hold in response to documents filed by NOPE and other Intervenor.

At the end of December, Applications for Rehearing were filed by NOPE, Hamilton County, and the cities of Blue Ash, Cincinnati, Evendale and Reading with OPSB. In early January, Duke filed a rebuttal to the Intervenor's Applications for Rehearing.

An Application for Rehearing is the first step in appealing the OPSB's decision to approve Duke's Central Corridor Pipeline project. (16-253-GA-BTX).

NOPE and the Municipal Intervenor state that OPSB acted unreasonably and unlawfully in approving Duke's pipeline. Their arguments, evidence and supporting legal precedent provide compelling reasons for OPSB to reconsider the case.

Here are some of the key points raised by Intervenor:

- 1) The Board incorrectly applied a standard of "convenience" rather than "need" in evaluating Duke's application and failed to determine whether reasonable alternatives exist.
- 2) The Board failed to consider probable environmental impacts and determine whether routing decisions represented minimal impact.
- 3) The Board incorrectly determined that the pipeline serves the public convenience and necessity, because it did not address legitimate public safety concerns.
- 4) In reaching their decision, the Board relied on discredited evidence, inadmissible evidence and/or unsubstantiated claims and also disregarded credible evidence that was presented.
- 5) The Board failed to define the pipeline as a transmission line, rather than a distribution line.

On January 17th, the Administrative Law Judge for OPSB approved the Intervenor's Application for a Rehearing.

This ruling is a HUGE WIN for NOPE and our Municipal Intervenor. It gives OPSB additional time to consider the legitimate legal issues and evidentiary concerns that were raised. At the same time, OPSB's order issuing the pipeline approval certificate is stayed pending their ultimate decision on whether to grant rehearing.

In non-legal terms, this means that until OPSB rehearing proceedings have been completed (assuming a rehearing is granted), Duke does not have approval to begin construction of the Central Corridor Pipeline Project.

What Happens Next?

At this point, it is up to OPSB voting members to decide whether to conduct a rehearing, and specific issues to be addressed during the rehearing.

If OPSB voting members agree to rehear the case, the format and timing would be managed by the Administrative Law Judge. At the end of the rehearing, OPSB can uphold, modify or withdraw their approval Duke's Central Corridor Pipeline Application. During this process, approval of Duke's Pipeline Application remains on hold.

If OPSB ultimately stands by their original decision and upholds the approval of Duke's pipeline application, or OPSB refuses to rehear the case, NOPE and Intervenors can take their case that OPSB acted unreasonably and unlawfully in approving Duke's application to the Ohio Supreme Court.

ZONING, PLANNING & ENVIRONMENT: Dave Powell

- Committee met this evening and discussed the right of way ordinance that failed last month as well as the Master Plan and what to do with it. Will do some homework and bring a discussion to Council in a few weeks.

LAWS AND CONTRACTS: Katie Eadicicco

We held a committee meeting on Thursday, January 30th in the media center at the school with Mr. Power and myself and Alycia Bemmes and Collette Lewis. Mayor Bemmes and Mr. Nesbitt were also present.

The school asked to extend the most recent contract by one year at 3% increase and change the schedule of the contract to the school's fiscal year. The lease amount would be \$25,750 from July 1, 2020 through June 30, 2021.

Mayor Bemmes has worked out a schedule on contracts with the school to allow them to use Koenig Park through baseball.

I sent the information from our meeting.

Mr. Gertz requested Seth Redwine be present at next week's meeting to discuss in detail the cost to maintain the ball fields.

PUBLIC HEALTH AND SAFETY: Randy Fischesser

I have been working with Administration on the concerns raised by Mr. Roth regarding the crosswalk at the library. So far, we have been in contact with Metro to have the sign moved farther south so the buses do not block the jut-out and crosswalk signage. Once the bus stop is moved, we will look at making the curb more visible to approaching vehicles.

I plan on meeting with Acting Chief Lundsford next week to further discuss cruiser purchases for this year.

For the month of January, the Fire Department made 221 runs. As compared to 193 total runs in January 2019.

182 EMS (Arlington-9 and Amberley-24), 39 Fire (Arlington-4)

My committee will be having a short meeting with the Fire Chief on February 25th to discuss additional Capital fund needs created with the hiring of 3 additional firefighters.

SERVICE: Dennis Albrinck

- No Report (Absent)

RECREATION: Tom Lynd

- Encourages everyone to pass the 2020 Park Fee Ordinance on the floor for a second reading tonight. Right now park rentals are being taken at 2019 prices. Adult Open Gym hasn't been used in 10 years so it was dropped off the fee schedule. Section 2 and section 3 read the same as they always have since Mr. Lynd started.

NEW BUSINESS -

President of Council Cris Nesbitt:

- Spoke to Bob Painter reminded him that we are looking to receive the report two weeks from now – he is on target for that.
- Received 2 Quotes for carpet cleaning.
- Put a copy of the Master Plan at the Library. It's in the back room and is NOT to leave the library.
- Metro Management – bus stop sign will be moved in the next day or so two telephone poles South.
- Matt Morgan – needs to buy posts – will be installed by the end of February.

REPORTS OF OFFICIALS

MAYOR: Robert “Bo” Bemmes

- We’ve been awarded a \$280,000 State of Ohio 629 grant and awarded a \$200,000 grant that is administered through Hamilton County and \$104,450 from an ODOT Jobs and Commerce Grant to build a new road so General Tool can build a new building to house more employees in our City. The estimated cost of the road is \$611,000 and we are hoping to receive an ODOT grant to cover the rest of the cost.
- We have been awarded a \$440,000 State Capital Improvement Grant to rebuild the box culvert on Hunt Road near the Powell apartment buildings near Heile Drive.
- February 15: God/Flag/Country Oratory Competition at the Eagles
- April 4: 21st Annual Spring Fling Dance that benefits our Fire/EMS department and other charities at the Eagles Hall. \$15 per person, \$25 per couple includes drinks, finger foods and entertainment. Doors open at 7:30 pm. The Eagles need monetary donations, gift cards, merchandise or gift baskets for their raffles.
- Attended a meeting on January 29 concerning our City applying for a \$400,000 Safe Routes to Schools Grant next January.
- On January 30th attended the Laws and Contracts committee meeting concerning our City/Schools agreement for our Reading Blue Devils high school athletes to continue using our Koenig Park ball fields for girls softball and boys baseball practices and games and the use of Veterans Memorial football field for the RHS boys and girls soccer matches, and boys middle and high school football games and the use of the track for our young high school athletes that love to compete in track and field competitions.

SAFETY SERVICE DIRECTOR: Patrick Ross

- Received an estimate for a 5ft sidewalk –approximately \$200,000.00
- Benson (Valley portion by the Bridal District) – it’s been awhile since that portion has been paved. Estimate \$330,000.00.
- Ladies Auxiliary hosted a craft fair last year and they’d like to expand this event to build towards a taste of Reading type event. Penciled in the date August 29 at Koenig Park from noon to 11:00 pm. Also gave a check to go towards to 4th of July fireworks that they collected from a reverse raffle they had.

LAW DIRECTOR: Dave Stevenson

- No Report.

TREASURER: Mel Gertz

- January Update: \$672,741.00 (0.9 % ahead of 2019)

AUDITOR: Sabrina Smith

- No Report (Absent)

READING OF RESOLUTIONS: None.

READING OF ORDINANCES

(1) AN ORDINANCE ESTABLISHING FEES AND CHARGES FOR 2020 FOR THE CITY OF READING PARKS, PROGRAMS AND RECREATIONAL FACILITIES AND DECLARING AN EMERGENCY (Second Reading)

Motion made by Mr. Fischesser, seconded by Mrs. Eadicicco to suspend the third reading. Motion failed by a 5-1 roll call vote (Mr. Gertz voting “no”). Ordinance was declared a second reading only.

(2) AN ORDINANCE AUTHORIZING THE AUDITOR TO MAKE PAYMENT WITH REGARDS TO THE COMMERCIAL LOAN FOR \$37,826.17 AND DECLARING AN EMERGENCY

Motion made by Mr. Gertz, seconded by Mr. Fischesser to suspend the second and third reading. Motion passed by a 6-0 roll call vote. Motion made by Mr. Fischesser, seconded by Mr. Lindeman to adopt the ordinance. Motion passed by a 6-0 roll call vote.

ORDINANCE ADOPTED

ORDINANCE NO. 2020-08

OTHER BUSINESS

ADJOURNMENT

There being no further business, the meeting was declared adjourned at 8:57 pm.

X Carla Kacher

CARLA KACHER
Clerk of Council

X Cris Nesbitt

CRIS NESBITT
President of Council