

MT. HEALTHY CITY COUNCIL MEETING
August 15, 2017

Public meeting 7:00pm-7:40pm

There is a public hearing to discuss the conditional use request for tavern/nightclub in the Core Business District at 7521 Hamilton Avenue – Claire Oancea is the applicant.

This application has gone before the Planning Commission and the request was “Denied” on Resolution 17-4. The next step is to go before council and try to overturn the Planning Commission’s decision.

Here tonight before council is Claire Oancea, the business owner and her attorney, Chris Finney. Mr. Finney understands that the building has been vacant for approximately 10 years and Ms. Oancea has made a significant commitment to the community to try to make this building nice again and making creative and innovated use of the property. There are two things that are troubling to Mr. Finney:

1. The planning commission has changed positions claiming why they are denying this project. There is incorrect information as to who they think her business partner is and there seems to be some racial component to that because there is rational reason why they would have an objection to the business partner that she has. When Mr. Kocher read this into the record from the minutes the reason is because of the impact to the surrounding businesses. What Planning Commission it was read due to insufficient investment and questionable business partner, potential impact to adjacent businesses. Ms. Oancea’s business partner has an utterly clean record and because somebody put their name on the liquor application as a contact. That is not Ms. Oancea’s business partner and has nothing to do with the business what so ever.
2. There is just incorrect information going around. From the March 7th planning commission meeting it was denied because there was minimal investment being put into the business and the liquor permit is still in pending status. She was told then to invest some money into the business and get your liquor permit. She relied on this from the city manager and planning commission and did both things and got them done and goes back and now she is told due to insufficient investment and questionable business partner. I don’t know who that is or what the questionable nature is. There is nothing questionable about her business partner except he happens to be black. And if that is the reason council is saying why he is questionable I would hope not. You have all determined the wrong person as her business partner. Ms. Oancea is going to make a wonderful mixed use of residential, spa facilities, tanning beds, barbershop. The first floor will be a lounge area and is a private club, privately rented. It’s not going to be a bar as everybody perceives it. Very low key.

We believe we have a good basis for approval, but it appears the Planning Commission has incorrect criteria. The Planning Commission and administration should be ashamed of itself along for inducing Ms. Oancea to invest money into the building. She spends her money and they come up with other basis to deny the zoning.

Mr. Kocher – The 1st application was completely different from the 2nd application. There have been many changes to the business since this has all started.

Mrs. Moody – you are ~~polluting~~ ^{Alluding} that as a council person ^{you} have the preconceived notion. I don't know where you got that. The application we got at the beginning looks a whole lot different than the one we have now. So as a council member ^{you} are open to new businesses, but there is a procedure to do things. Council is only looking at the facts and the zoning, the application. That is the only thing we should be dealing with at a public hearing are the facts.

Mr. Kocher asked the question if Mr. Walter Cortez Mooney was her business partner because he was on her application from the liquor permit. She has denied the entire time that he is ~~not~~ involved.

Mrs. George stated the last time Ms. Oancea was here she made no mention of a barber, tanning bed or spa. That is all new. Council is not aware of anything until it is put in front of them. There has just been a continuous change. No one here on council has told you to go spend your money and invest.

Ms. Oancea has said she tried to work with Mr. Knight, called Mr. Kocher and tried to meet with Mr. Wolf on several occasions, which he refuses to take my calls or return emails. She has done everything to try to accommodate Mt. Healthy and come up with a plan together of how we can take this beautiful building and turn it into a thriving business. They have fought me all the way.

Mr. Wolf responds to Ms. Oancea that they had a conversation in the end of May over the phone. Ms. Oancea agrees they did speak and the conversation was ended when you threatened to sue me. Mr. Wolf would like to make it clear that he was open to discussion, but once threatened with a law suit he had to step back.

Mr. Finney is available for any questions.

Public Hearing closed at 7:40pm

The council meeting was called to order by President of Council Ross Bittner at 7:50p.m.

ROLL CALL:

Present: Mrs. Lingo, Mrs. Moody, Mr. Parsons, Mrs. George, Ms. Petersen, Mrs. Dosa

Absent and Excused: Mr. Roetting

Mrs. Moody made a motion and was seconded by Mrs. Dosa to excuse the absent member. All in favor *motion carried.*

ALSO IN ATTENDANCE:

Mayor James Wolf, City Manager Bill Kocher, Finance Director Scott Bauer, Law Director Dan Temming

MINUTES:

A motion to adopt the minutes as printed of the July 18, 2017 meeting was made by Ms. Petersen and seconded by Mr. Parsons. An aye vote carried the motion. Minutes were adopted.

CORRESPONDENCE:

None.

GUESTS, SPECIAL EVENTS:

Ed Williams from TEC Engineering is here to review and discuss the proposed traffic changes for South Elementary as well as to review a grant for replacement of all traffic controls devices in the City.

Letters were sent out to residents to let them know what was going to be discussed tonight. It would be good to let some of these folks speak regarding the proposed changes.

There are two things Mr. Williams will discuss this evening. The City put in traffic signals system close to 20 years ago. It is a good system, but is becoming obsolete. There is a grant and that we found out about at the last minute, so we put in for it and we got a pretty good score. This grant is specifically for traffic signals systems. The City scored 3rd through OKI and now goes to Columbus to get the final answer. With this grant, you would pay 20cents to the dollar to replace all the LED bulbs. We did put in the grant to replace the signal controllers. We also put in the curb ramps. You try to put in as much as you can. This grant is funding for fiscal year 2022, which is July of 2021. That is the earliest you could receive the funds. You will know if you receive the grant sometime in October of this year.

The grant amount comes out to be \$1.1million – 20% grant. The City's match would be around \$220,000. The design cost would have to be paid by the City.

*Traffic Study for South Elementary: TRAFFIC CONTROL IS THE NEED

The schools address has been changed from 7900 Werner Avenue to Adams Road.

The changes that are planned is to close Werner Avenue exit/entrance completely to both pedestrians and car traffic at the school. The planned traffic flow is to enter from Adams and exit out on Lincoln and down to Hastings and out to Harrison. Lincoln would be changed to a one-way street forcing cars that are dropping off students to follow the planned traffic route. This change would force residents to enter on Hill and exit on Hastings.

Residents of Lincoln and Hill are not pleased with these proposals. They feel this is not fair to the residents. Hill is not in good shape and extremely narrow for it to be used heavily. This would be creating a worse situation. This is creating more traffic on Lincoln. The apartments on Harrison and Adams would then have to completely go around just to get to the parking lot.

Residents all agree that this proposed plan is not going to work. There must be another solution.

Council would like to "Thank" all the residents that came out tonight. This is a process and we aren't going to know what works until we see the change. Council is 110% behind any changes to help anything along the way. Whatever is put in place at the beginning and it doesn't turn out to be the right option and we need to make a few changes then we will work through it. There isn't going to be a perfect solution.

We need an orderly movement of traffic and pedestrians.

We don't have complete control of what the school is going to do, but will keep working towards a solution. We appreciate the input of the residents.

COMMITTEE REPORTS:

Business Partnership/Alliance - Judy Petersen:

Attended the Mt. Healthy Business Association meeting.

- September 9th, Celebrate Mt. Healthy – looking for volunteers and basket donations, There are signs to be put in yards contact Kim Cremeans
- Discussed Main Theatre and the pop up shops on Saturdays, looking into other activities
- They will be having elections in January. They need a treasurer and board members.
- Studio 54 was discussed and they support the Planning Commission's decision.

Mt. Healthy Alliance served 460 families in July

Beautification - Jennifer Moody:

Still keeping up on watering the plants around town.

Parks – Denise Lingo:

The band "Eden" played last Friday night and they were terrific. They did encore's.

School/Library - Kisha Dosa

School starts August 17th.

South Elementary has a new principal, Yzvetta Macon, she is a 1982 graduate of Mt. Healthy City Schools. Mrs. Macon states her top three priorities at South Elementary are:

1. Establish and maintain a safe, nurturing and educational thriving culture in the building.
2. Establish a teaching and learning environment leading to improved academic success on the State Report Card.
3. Providing opportunities for students to participate in a variety of extra-curricular activities that impacts classroom learning, builds leadership skills and engage students in a sense of pride for their school and community.

We Thrive! - Jenny Moody:

Soccer started this week. The fields have been lined. Practice and games will be played on the fields.

MAYOR'S REPORT: James Wolf

Saturday night will be the last movie in the park. They have been successful and very well attended. We have new speakers and a new screen. Starts around 9:00pm

Mayor attended a mandatory training class for Community Development Block Grant program funding. There are 3 different types of funding. The typical funding every 3 year cycle, which is what we normally go through. There is also money that we pull in from the Federal government that goes into an account for Hamilton County. You don't automatically get these funds. You must apply for these funds. We did a pre-application. One of the uses that would be helpful is that we could apply for asbestos removal and having this done with the Main Theatre. We found out we already have the funds to do the removal of asbestos we just need to gather the bids. Just at the first step. We could use the funds applied for to implement Urban Fast Forward.

There were 2 pre-applications done. They have been approved. The next step will be submitting the proposal. Found out there are many uses for these funds.

CITY MANAGER'S REPORT: Bill Kocher

The Resolution tonight on your desk was from the planning commission. This is how the process typically works. We had a public hearing on July 26th, we recommended an approval for the conditional use at the old GCI building. The next meeting will have the packet that went along with the conditional use application. The official reading on this will be in September with all the dates met.

Police vehicle was in an auto accident and was totaled. Nobody was hurt and it was not the officers fault. This was one of our 2013 vehicles. We received around \$10,000. The other 2013 vehicle's transmission went out and it is \$6,500 to get fixed. We are not going to fix and budget for next year to replace this one. We are going to use the \$10,000 to purchase a new vehicle this year and adjust in the budget.

Law Director looked into the vacating of alleys. We would need to do surveys of these alleys before we could do this legally. The cost could run \$700-900 per alley. This is something we want to do, but we will have to wait and budget for it next year.

Have a summary from Joe Roetting – Streets

Continuing work on SKIIP funding is 70% less than in previous years. Included a list of street priorities. Need to continue to work on this. This has always been a working document and priorities may change. Need to get our list nailed down by next meeting to apply for the next funding.

Parking on Hamilton and Compton is still being researched. We need to get with our Law Director to see what the proper procedure is going to be to get rid of the "No Parking" there.

Received a nice email for once from a new resident. Jessica Moss just purchased a home in Mt. Healthy in June. We were not entirely sure what to expect from Mt. Healthy because we did not know the area. We really like Fibonacci Brewery and it was the biggest draw for us. We have heard great things from the residents. Has been pleased with the purchase. Received packet from the City with great information. The City is doing a great job!

FINANCE DIRECTOR: Scott Bauer

July month end reports and bank reconciliation were distributed in your packets.

The City received the Auditor of State Award for 2016. This award is given to entities that file timely financial reports in accordance with GAAP, as well as receive a “clean” audit report. The “clean” audit report means that the financial audit did not contain findings for recovery, material citations, material weaknesses, significant deficiencies, single audit findings or any questioned costs.

RESOLUTIONS:

Resolution 17-1110: A resolution to approve the recommendation of the Planning Commission regarding the conditional use request for tavern/night club (vanity bar) in the core business district (CBD) at 7521 Hamilton Avenue. A motion to waive the two reading rule was made by Mrs. Moody and seconded by Mr. Parsons. A roll call vote carried the motion 6-0. A motion to adopt the resolution was made by Mr. Parsons and seconded by Mrs. Lingo. A roll call vote carried the motion 6-0.

ORDINANCES:

Ordinance 17-1823 An ordinance assessing costs of the removal of high grass and weeds and declaring an emergency. A motion to waive the two reading rule was made by Mrs. Moody and seconded by Mr. Parsons. A roll call vote carried the motion 6-0. A motion to adopt the ordinance was made by Mrs. George and seconded by Ms. Petersen. A roll call vote carried the motion 6-0.

OLD BUSINESS:

None.

NEW BUSINESS:

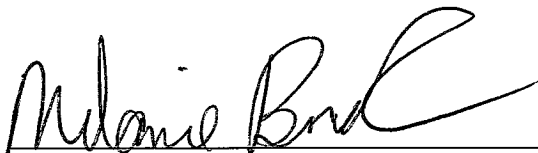
Mrs. George will not be able to attend the September 5th council meeting.

ADJOURNMENT:

A motion to adjourn was made by Mrs. Lingo and seconded by Mrs. George. An aye vote carried the motion and the meeting was adjourned at 9:30 pm.



President of Council Ross Bittner



Melanie Branditz, Clerk of Council