

MINUTES OF SPECIAL MEETING
NOVEMBER 21, 2015
VILLAGE OF TERRACE PARK COUNCIL
HAMILTON COUNTY, OHIO

Council met on Saturday, November 21, 2015 at 8:00 a.m. in the Terrace Park Emergency Services Building's Training Room. Members of Council present were Mr. Lee Cole, Ms. Judith Lehman, Mr. Jeff LeMay, Mrs. Holly Purcell and Mr. Tom Tepe. In addition, Mayor Jay Gohman was in attendance and presided over the meeting.

Mayor Gohman welcomed the capacity crowd to the meeting and indicated that this meeting was a special meeting and for that reason only the business of Martin Marietta and the Birch Restaurant property could be acted upon or discussed by Village Council.

Mayor Gohman then informed the Council that the surrounding community neighbors had agreed to continue the appeal process versus Martin Marietta. This appeal now will be with the Ohio Supreme Court.

With this information, Mayor Gohman asked Council for a quick roll call voice vote in support of this action. Council members Cole, Lehman, Lemay, Purcell, Tepe all voted aye in support of this action.

Mayor Gohman then proceeded to inform Council of the new planned restaurant to be located at the corner of Given and Indian Hill Road. This communication included the legal ability to have a restaurant at this location since the current zoning permits such use. He also stated that the Terrace Park Building Official has worked very closely with the owners and architects of this project and from the plans submitted for review all items have met Village requirements. Mayor Gohman stated, the reason we are here today is to review, discuss and possibly vote on an easement agreement to allow the owners to use Village property for extended parking space and septic lines. Mayor Gohman added that many Village residents enjoy the use of parking on Village property as they construct street pull offs in front of their homes. Mayor Gohman also added that the majority of the Miami riverside homes have their septic systems in the Village right-of-way and for this reason this permit is not out of character for Terrace Park

Then Mayor Gohman turned over discussion to Mr. Tepe for additional information regarding the property. Mr. Tepe added that this agreement will benefit the Village and if any changes to the property via sale or operation change, the Village will have the ultimate right to approve the use of the Village property via this easement agreement. Mr. Tepe also added that the Village has not incurred any additional charges for the work on this agreement. The Birch property owners have paid for all Village legal costs. Mayor Gohman then allowed for residents to address Council regarding these matters. He limited the time to speak to two minutes.

RESIDENTS TO ADDRESS COUNCIL:

Diane Trevitz (317 Given) - Stated that she feels this area of Terrace Park has been forgotten and this new operation will add additional danger to the area.

Ray Normile(609 Amherst) - Wanted to have additional zoning to address any possible future problems with the new operation.

Al Singler (407 Elm) - Has concerns over parking and noise and feels over flow parking could end up on surrounding streets.

Pete Miller (408 Washington) - Stated concerns over parking and noise issues.

Aaron Tritch (913 Princeton and Birch property owner) - Stated she and her family plan on being good neighbors and do not feel that noise and parking will be an issue. The shop will be a retail store with food, wine and beer service and will have family hours of operation.

Patty Normile (609 Amherst) - Thanked Council for the detailed information and feels that this will be a good new business to the Village

Sally Mercurio (420 Washington) - Has concerns over parking, traffic and light issues.

Lauren Ingebritson (620 Lexington) - Feels it will be a nice new addition to the Village

Brandon Beck (121 Winding Brook) - Feels it will be good for the Village

Connie Singler (407 Elm) - Stated worries about sound, traffic and parking.

Stefan Olson (815 Miami) - Informed the crowded room that the Village does have the ability to control noise via nuisance laws and to have noise level testing equipment for the police to use is not in the Village's ability.

At that point Mr. Tepe also confirmed Mr. Olson's comments regarding any nuisance problems would be addressed if they become an issue.

After discussions were complete, Mr. Tepe introduced **RESOLUTION 11-1, 2015. A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL EASEMENT AGREEMENT WITH BAT PROPERTIES OF TERRACE PARK LLC.**

He then advanced this resolution to the third reading. Mrs. Purcell seconded. Council members Cole, Lehman, Lemay, Purcell and Tepe voted aye. Mr. Tepe then moved to adopt the resolution. Mr. Cole seconded. Council members Cole, Lehman, LeMay, Purcell and Tepe voted aye. Mr. Tepe moved to adopt the resolution as an emergency. Mr. Cole seconded. Council members Cole, Lehman, LeMay, Purcell and Tepe voted aye. Resolution passed.

Mr. Tepe moved to adjourn the Special meeting. Mrs. Purcell seconded. All voted aye. Special meeting adjourned.

Respectfully submitted:

Jay Gohman
Mayor