

Minutes of City Council Meeting, Cheviot, Ohio

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February 2, 2010

The regular session of Council was called to order at 7:30P.M. with the Pledge of Allegiance and a moment of silence. Roll call was taken and the following were found in attendance:

Mayor	Samuel D. Keller
President of Council	Deborah M. McKinney
Law Director	Mark Waters
Council 1 st Ward	Ryan Zech
Council 2 nd Ward	Matthew D. McGowan
Council 3 rd Ward	James F. Sunderhaus
Council 4 th Ward	William H. Clark III
Council at Large	Kathleen S. Zech
Council at Large	Dennis Dinkelacker
Council at Large	Steve Braun

President McKinney stated there was an Ordinance concerning a Daytime Curfew, a Resolution concerning Council Rules and Committee Assignments and two Resolutions to put existing Tax Levies on the May Ballot for Renewal. President McKinney also announced there will be a second reading of an Ordinance regarding the Safety-Service Director. There is a report from the Laws, Rules and Ordinances Committee from January 26, 2010. A motion to approve and file the minutes for January 19, 2010 was made by Mr. McGowan, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote.

Public Recognition on Agenda Items

No one from the Public wished to address Council on any Agenda Items.

Reports of Standing Committees

Ms. Zech read her report of the Laws, Rules and Ordinances Committee meeting held January 26, 2010. A motion to receive and file was made by Ms. Zech, seconded by Mr. Sunderhaus. The motion passed with a 7-0 voice vote. Ms. Zech discussed further the availability for officers to obtain ordinances for enforcement. Ms. Zech stated that the website will be fully updated with all the new laws and police cruisers will be updated with current software sometime in the future. Officers may then have the ability to reference said ordinances to enforce the laws of the City of Cheviot. Ms. Zech also stated there may be training of police officers as to how new laws affect the city and how those laws shall be enforced.

Second and Third Readings of Ordinances

Mr. Zech introduced by title an ordinance *To Set the Severance Compensation for the Safety-Service Director Upon His Retirement*. There was no discussion on the matter. This constitutes a second reading of Ordinance 10-05.

Introduction of Ordinances and Resolutions

Ms. Zech made a motion to introduce an ordinance *To Approve the Proposed Daytime Curfew (during school hours)*. An introduction was made by Ms. Zech and seconded by Mr. Dinkelacker. The motion passed with a 7-0 vote. The ordinance was assigned ordinance number 10-06. Ms. Zech explained that the ordinance was still in draft form and needed to be revised before its final passage. This constitutes a first reading of Ordinance 10-06.

Ms. Zech made a motion to introduce a resolution *To Approve the 2010 Council Rules and Committee Assignments*. An introduction was made by Ms. Zech and seconded by Mr. Sunderhaus. The motion passed with a 7-0 vote. The resolution was assigned resolution number 10-02 and is adopted.

Mr. McGowan made a motion to introduce a resolution *To Submit to the Hamilton County Board of Elections a Proposed Renewal Tax Levy to be Voted Upon by the Electors of the City of Cheviot at the Next Primary Election; and to Declare an Emergency*. Mr. McGowan explained this is a renewal of the current 4.25 mill general operating levy. A motion to introduce was made by Mr. McGowan, seconded by Mr. Zech. The motion passed with a 7-0 vote. The resolution was assigned resolution number 10-03 and is adopted. Clerk McKinney will file this resolution with the Board of Elections.

Mr. McGowan made a motion to introduce a resolution *To Submit to the Hamilton County Board of Elections a Proposed Renewal Tax Levy to be Voted Upon by the Electors of the City of Cheviot at the Next Primary Election; and to Declare an Emergency*. Mr. McGowan explained this is a renewal of the current 0.75 mill general operating levy. A motion to introduce was made by Mr. McGowan, seconded by Mr. Zech. The motion passed with a 7-0 vote. The resolution was assigned resolution number 10-04 and is adopted. Clerk McKinney will file this resolution with the Board of Elections.

Introduction by the Mayor

Mayor Keller stated that the repavement of Applegate Avenue West might be held off for a while longer (until April) while the City tries to obtain stimulus money to fix Glenmore Avenue. The Mayor explained that with the grant money to fix Glenmore Avenue, all the city would have to contribute is engineering fees.

Mayor Keller informed Council due to the bad weather during the summer for the past few years, the pool will need to generate additional revenue to operate. Mayor Keller suggested the committee may have to look at membership fees as well as possible private donations.

Mayor Keller passed on a request from the Ohio Secretary of State's office for updated information on current elected officials.

Safety-Service Director's Report

Mr. Neal did not leave a report for Council.

Law Director's Report

Mr. Waters briefly discussed the Smith lawsuit involving the city. He stated he is unsure if the Insurance Company will be representing us in this matter. Mr. Waters stated he will discuss this with Mr. Neal and investigate if he needs to file an answer with the court.

Mr. Waters also discussed the residency requirements of the Safety-Service Director. Mr. Waters stated there are two laws that conflict themselves in this matter. Mr. McGowan asked if the City still has the ability to waive the requirement and still follow the law. Mr. Waters confirmed the City may do that if so desired. There was much discussion on the topic.

Treasurer's Report

Mr. Norman supplied council with the December 2010 final report as well as some highlights of the year. Mr. Norman stated that the balance shown on the final report was not an actual depiction of the amount of money the City currently has due to bills still needing to be paid.

Mr. Norman commented that the City was lucky to benefit from some large estates in 2010 but that the City should not rely on much money from estates in the future. Mr. Norman explained that there is talk and even some proposed legislation to eliminate the taxes the City would receive from estates in the future. Mr. Norman explained the reduction of banking fees by 80% and is currently looking into a plan to modify the City's depositories and incur zero banking fees while generating a small amount of interest. Mr. Norman stressed to Council that although an increased levy was passed in August 2010, the City should still remain responsible in handling the revenue.

Public Recognition on Other Issues

No one from the Public wished to address Council on any other issues.

Mayor's Court and Treasurer's Receipts

A motion to receive and file the Mayor's Court Receipts for January 2010 was made by Mr. Sunderhaus and seconded by Ms. Zech. The motion passed with a 7-0 voice vote.

A motion to receive and file the Treasurer's Receipts for December 2009 was made by Mr. Zech and seconded by Mr. Sunderhaus. The motion passed with a 7-0 voice vote.

Correspondence

- Financial Disclosure Forms for Elected Officials
- Memo concerning Applegate Avenue
- Memo concerning Harvest Home Pool
- Proposed 2010 Appropriations
- Liquor Permits
- 2010 Hamilton County Budget in Brief
- Streetvibes
- 3 Property Maintenance Reports

Other Business

Mr. Sunderhaus reported on information from the Police Department. He stated that officers are enforcing the nuisance laws. Multiple calls have been made to 4112 West Court and 3408 Robb Avenue. The property owners have been notified. The Chief also passed along a thank you note from the Norwood. Our K-9 officer Charlie helped out with a drug search on a 1500 square foot residence.

Mr. McGowan called a meeting of the Finance Committee for Tuesday February 9, 2010 at 6:30pm to discuss the 2010 budget. Mr. McGowan would invite the Treasurer and Safety-Service Director to attend if possible. Mr. McGowan invited all those who are able to attend the meeting to do so. Mr. McGowan hopes to accomplish a lot in this first meeting.

Mr. Zech called a meeting of the Parks and Playgrounds Committee for Tuesday February 9, 2010 at 6:00pm to discuss the pool and fees for the parks for 2010. Mr. Zech invited Mr. Neal to attend his meeting as well.

Mr. McGowan read a memo from the Tax Commissioner concerning Tax Revenue for 2009. Of 66 municipalities surveyed, the City of Cheviot only decreased slightly compared to other areas. Mr. McGowan would like to thank the Tax Office, Auditor's Office, Administration and Council for all their hard work in 2009.

Mr. McGowan had the unfortunate pleasure of requiring paramedic services Monday evening. A Cheviot paramedic who also works for Cincinnati Children's showed great professionalism in handling what could have been a very scary matter. The paramedic, Jeff, is truly a positive reflection of the City of Cheviot and shall be commended. Mr. McGowan will pass on his compliments to Chief Clark.

Mr. Clark invited Council and the public to attend a fundraiser to benefit a kindergarten student at St. Martin's School on February 6, 2010 from 6-9p.m. The fundraiser will be a spaghetti dinner held in Father Mick Hall of the Saint Martin's Church. The student is battling leukemia and has many medical bills.

Mr. Dinkelacker reminded all of the Shootout at the Fieldhouse. The Shootout began last Friday and will continue each Friday until February 26, 2010. All those who would like to witness some fantastic basketball are invited to attend.

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. Clark. The motion passed with a 7-0 voice vote. The meeting adjourned at 8:13pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council