

Minutes of City Council Meeting, Cheviot, Ohio

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March 2, 2010

The regular session of Council was called to order at 7:35P.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 4 th Ward	Bill Clark
Council at Large	Kathleen S. Zech
Council at Large	Dennis Dinkelacker
Council at Large	Steve Braun

Mr. Clark made a motion to excuse Mr. Sunderhaus who had a prior academic family commitment, Mr. McGowan seconded the motion. The motion passed with a 6-0 voice vote. President McKinney announced there will be reports from the Economic Developer, the Streets Sidewalks and Lights Committee and the Public Works and Utilities Committee. President McKinney stated there were four pieces of legislation, an ordinance regarding Bank Depositories, an ordinance regarding the residency requirements for the Safety-Service Director, an ordinance to formally adopt the Streetscape plan and the final reading of the Daytime Curfew Ordinance. A motion to approve and file the minutes for February 16, 2010 was made by Ms. Zech, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote.

Public Recognition on Agenda Items

No members of the Public were recognized to address any of the agenda items.

Reports of Standing Committees

Caroline Statkus addressed Council with an update of her work during the past few months. She has spoken to several people regarding some of the vacant businesses around Cheviot. Some businesses were discussed were the old IGA and the old PNC bank building. Ms. Statkus spoke of some grants available to Cheviot and how to get involved. The hanging baskets shall arrive before Mother's Day. She is continuing to meet with various people in and around Cheviot and the County. Ms. Statkus spoke about the thought of a moratorium and an overlay in regards to new buildings in the city. Ms. Statkus is looking for input from Council on that matter. Much discussion followed and the Law Director is looking into the issue.

Mr. Clark read a report of the Streets, Sidewalks and Lights Committee into the record. The meeting was held on February 22, 2010. A motion to receive and file was made by Mr. Clark, seconded by Mr. Dinkelacker. The motion passed with a 6-0 voice vote. Mr. Waters stated that they will hold off on an ordinance due to further research. Mr. Waters stated that for the longest time that anyone can remember, the City never enforced the shoveling ordinance. Mayor Keller said the majority of the businesses that were informed did comply with the ordinance.

Clerk McKinney read a report of the Public Works and Utilities Committee into the record. The meeting was held on February 22, 2010. A motion to receive and file was made by Mr. Clark, seconded by Mr. McGowan. The motion passes with a 6-0 voice vote.

Mr. Clark spoke further on the addition of the microphones and the ability to broadcast our meetings once more. Mr. Clark informed Council that he spoke with Kevin C of Green Township and we can resume use of the channel. The meetings will be taped and then replayed at a later date on public access. Cheviot was also authorized to air other activities. No upgrades of equipment will be needed if we just want to tape our meetings and air them at a later date.

Second and Third Readings of Ordinances

Ms. Zech announced a third reading of Ordinance 10-06 *To Approve the Proposed Daytime Curfew (during school hours)*. This ordinance is now titled *To Enact Section 93.05 of the Cheviot Code of Ordinances; and Amend Section 93.99(A) and (B) of the Cheviot Code of Ordinances*. This constitutes a third reading. Ms. Zech stated the final draft of the ordinance will be ready for passage at the next scheduled meeting. It was to be passed this evening but there are still a few changes to be made, concerning home schooled children.

Introduction of Ordinances and Resolutions

Mr. Zech made a motion to introduce an ordinance *To Adopt the Cheviot Business District 2009 Final Master Plan for Streetscape & Cemetery Improvements*. The final draft of the ordinance shall be ready at the next meeting. Mr. Zech made a motion to introduce, seconded by Ms. Zech. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 10-08. This constitutes a first reading.

Mr. Zech made a motion to introduce an ordinance *To Waive the Residence Requirements of Sections 735.01 and 737.01 of the Ohio Revised Code and Section 35.61 of the Cheviot Code of Ordinances*. The current statute states the requirement of the Safety Service Director to live within the city limits by the sixth month of his/her appointment. To allow the City to search for the best candidate, Council has decided to waive that requirement. Mr. Zech made a motion to introduce, seconded by Mr. Clark. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 10-09. This constitutes a first reading. Mr. McGowan questioned whether it was a blanket waiver or only for a particular candidate. The committee's consensus was to have a blanket waiver so the city may find the best candidate. Mr. Waters will amend the ordinance to reflect the committee's wishes.

Mr. McGowan made a motion to introduce an ordinance *To Designate Certain Public Financial Institutions for the Deposit and Safekeeping of the Funds of the City of Cheviot; and to Declare an Emergency*. The final draft of the ordinance shall be ready at the next meeting. Mr. McGowan stated that in the best interests of the City of Cheviot, and to receive the best return on its assets, the city is designating PNC Bank, Fifth Third Bank, US Bank and First Financial Bank as public depositories. Mr. McGowan made a motion to introduce, seconded by Mr. Zech. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 10-10. A motion to suspend the rules was made by Mr. McGowan, seconded by Mr. Zech. A roll call vote was taken and the motion passed with a 6-0 vote. Mayor Keller noted that the passage of this ordinance will please the City Treasurer, Mr. Norman. A motion to adopt was made by Mr. Dinkelacker, seconded by Mr. Zech. A roll call vote was taken and the motion passed with a 6-0 vote. Ordinance 10-10 is hereby adopted.

Mayor's Report

Mayor Keller informed Council and the public that due to email problems over the past few days, he has been delayed in responding to Council and concerned citizens. Mayor Keller assured Council that he has tended to all of his missed emails and should hopefully be caught up.

The Mayor stated the poles at the intersection of Glenmore and Harrison will be removed next week. The City and the CWCA is looking towards alternatives for hanging banners. The right turn arrow at that intersection will be replaced as well. ODOT was unaware of the problem and are fixing it at their cost. The last step in the project will be the removal of the lights at Harrison and Lovell. Those are expected to be removed towards the end of the week of March 12, 2010. There have been zero accidents in the intersection during the 90 day study.

The retirement party for Mr. Steve Neal will be held on Wednesday March 31, 2010 at the Harvest Home Lodge.

Mayor Keller would like the city to remember Mr. Bob "Buck" Buchanan, former Safety-Service Director from 1972-1992. The flags in Cheviot were lowered to half mast to honor him.

March 18, 2010 will be the first meeting with the FOP on wage negotiations. Mayor Keller would like to meet briefly with Mr. Waters, Mr. Clark and Ms. Zech before this date.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Neal had no formal report for Council. Mayor Keller informed Council that he will be in attendance at the next meeting.

There were no questions for the Safety-Service Director.

Law Director's Report

Mr. Waters stated that the ordinance and the JEDD contract are now complete. There are only a few filing requirements, which the Clerk of Council will handle.

Mr. Waters updated Council on the Smith v Cheviot lawsuit. A Pre-Trial will be held on March 9, 2010 with Judge Dewine. Our insurance company will be handling the proceedings.

There were no questions for Mr. Waters.

Public Recognition on Other Issues

No members of the Public were recognized to address Council on any other items.

Other Business

Mr. McGowan called a continuance of the Finance Committee Meeting for Tuesday March 9, 2010 at 6:00pm to continue discussing the 2010 budget. The police chief, fire chief and treasurer are invited to attend. This should be the final meeting on this issue.

Mr. McGowan (with direction from Mr. Sunderhaus) called a meeting of the Public Works and Utilities Committee for Tuesday March 9, 2010 at 6:30pm (immediately following the Finance Meeting) to discuss cable access.

Ms. Zech announced that Cheviot was well represented at the Mother of Mercy Scholarship awards ceremony. Two young twins from St. Martins, Mary and Teresa Rust, received a student council true blue scholarship award to attend Mother of Mercy next year.

Mr. Braun asked for clarification on the Safety-Service Director Ordinance. Mr. Waters informed him that whoever shall take the position on April 1, 2010 would traditionally have six months to become a resident of Cheviot. With passage of this ordinance, that requirement will be waived.

Mayor's Court and Treasurer's Receipts

A motion to receive and file the Mayor's Court Receipts for February 2010 was made by Mr. Dinkelacker, seconded by Ms. Zech. The motion passed with a 6-0 voice vote.

President McKinney announced to Council and the Public that after long consideration, she has decided to run for the position of State Senator for the 9th District. President McKinney is not running to desert Cheviot, but to hopefully better represent their interests at the state level.

Correspondence

- Magistrate Court Dates March-June 2010
- No New Business Reports issued by the Fire Department for February 2010
- Memo from CSI - waste removal and disposal service

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote. The meeting adjourned at 8:25pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council