

# MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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March 17, 2009

The regular session of Council was called to order at 7:30 P.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
Safety Service Director	Steven O. Neal
Law Director	Mark Waters
Council 1 <sup>st</sup> Ward	Ryan A. Zech
Council 2 <sup>nd</sup> Ward	Matthew D. McGowan
Council 3 <sup>rd</sup> Ward	James F. Sunderhaus
Council 4 <sup>th</sup> Ward	Greg J. Stautberg
Council at Large	Kathleen S. Zech
Council at Large	Dennis T. Dinkelacker
Council at Large	Steve L. Braun

President McKinney stated there are two pieces of legislation to add to the agenda, an ordinance to transfer funds and an ordinance for the yearly appropriations. The minutes of March 3, 2009 were approved, by a 7-0 voice vote (First by Mr. Dinkelacker, seconded by Mr. Zech).

## **Public Recognition on Agenda Items**

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

## **Reports of Standing Committees**

No Committee Reports were read into the record.

## **Introduction of Ordinances and Resolutions**

Mr. Stautberg made a motion to introduce by Title an ordinance *To Amend Create a New Budget Line Item; To Transfer Funds; To Amend the First Quarter, 2009, Appropriations; and to Declare an Emergency.* An introduction was made by Mr. Stautberg and seconded by Mr. McGowan. The motion passed with a 7-0 voice vote. The ordinance was assigned ordinance number 09-03. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Ms. Zech. A roll call vote was taken and the motion passed 7-0. There was no discussion or questions about the ordinance. A motion to adopt was made by Mr. Dinkelacker and seconded by Mr. Stautberg. A roll call vote was taken and the ordinance was adopted with a 7-0 vote.

Mr. Stautberg stated the second ordinance concerned the Annual Appropriations. Mr. Stautberg wanted to thank the Committee and all of Council for working hard to balance the budget with over a \$500,000 deficit; the Committee starting working over a year ago on it. Without the garbage fee, the budget could not have been balanced to maintain all of the city's services. Mr. Stautberg thanked the Administration as well. Mr. Stautberg highlighted the K9 unit funds that were appropriated. Mr. Stautberg was assured by Officer Patton that the funds were paid for by donations. Officer Patton did a wonderful job and he will make it through 2009 being fully funded by donations. The City and Committee did recommend purchasing a police car for this year which will approximately cost \$25,000. Mr. Stautberg recommended to the Police Chief to hold off as long as possible in making that purchase, to get every mile out of the current car. Mr. Stautberg stated in the Fire Budget, the allotment for the cisterns and plugs went from \$500 to \$1000 due to \$575 already being spent.

Mr. Stautberg made a motion to introduce an ordinance *for the Annual Appropriations.* An introduction was made by Mr. Stautberg and seconded by Mr. McGowan. The motion passed with a 7-0 voice vote. The ordinance was assigned ordinance number 09-04. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Mr. McGowan. A roll call vote was taken and the motion passed 7-0. Mr. Braun questioned whether the funds for the K9 Unit were increased. Mr. Stautberg stated he needed to look into it but it was a housekeeping change. Mr. Neal stated that the amount listed was the remaining funds Officer Patton had raised. Mr. Stautberg then assured the Committee that is what the amount reflected to zero out the funds. Mr. Stautberg stated that in 2010, the city will be responsible for funding the K9 Unit, and the cost should be minimal for the next several years.

There was no further discussion on the ordinance. A motion to adopt was made by Mr. Zech and seconded by Mr. Sunderhaus. A roll call vote was taken and the ordinance was adopted with a 7-0 vote.

### **Mayor's Report**

The Mayor reminded Council not to leave for the evening without signing the Annual Appropriations. The Mayor reported receiving a thank you letter from Clare Palmer at Community Services West for the City's donation. Mr. Dinkelacker previously reported to council what services are provided by CSW and answer the questions of Council. The Mayor received a phone call concerning the move of Cheviot School to the Oak Hills School District. The City has extensively looked into this move and the Mayor assured Council it was not possible. The Mayor stated Mr. Waters did a lot of research several times. The Mayor stated a few reasons why this could not happen. The District from which the school is leaving must agree to the move, the district in which the school is moving must agree to accept them, and the racial balance of the community in which the school is entering is involved. In the case of Cheviot school, the move would be a predominately white school moving into a predominately white community. The Mayor was not aware of any certain person who was campaigning for this to happen and where this was coming from. While The Mayor would love for this move to happen, and at one time Oak Hills School District considered it, Cincinnati Public Schools has never agreed or considered the move.

The Mayor updated Council on the progress of wage negotiations. The City made a one-time offer to all three bargaining units for the City, police, fire, and maintenance. The Committee that reviewed the offers is made up of Ms. Zech, Mr. Waters, Mr. McGowan and the Mayor. The City made a generous offer in order to settle the contract early with all three unions at the same time. The Mayor informed Council that he has asked to hear a response back from them by Friday of this week. The City has already heard back from the FOP asking to proceed with normal wage negotiations. The Mayor has not heard back from the other two unions.

The Mayor informed Council the stimulus money will not fund the Streetscape project. There were no streetscape projects that were funded. Phase II funding of Harrison has been approved so that the whole street can be redone.

The Mayor reminded Council of the Easter Egg Hunt presented by the CPA and CFA is April 5, 2009.

Registration beings at 1:00 pm at Harvest Home Park and the hunt beings at 2:00. First Time Home Buyers program is Wednesday night sponsored by Cheviot Savings Bank, at Harvest Home Lodge at 7:00. The Mayor encouraged all of Council to attend. Cheviot will be showcased.

### **Safety-Service Director's Report**

Mr. Neal stated that the money for Community Services West was delayed due to the appropriations. Because of this, City Hall received several calls from elderly women stating that CSW would not run the bus to the Fieldhouse for the senior meeting. Elderly citizens were told by CSW that this was because Cheviot did not pay their money. Mr. Neal responded to citizens that the City gives them a \$5000 donation. The money has been paid, but Mr. Neal continues to question how the organization operates in this manner.

Mr. Neal and Tom Braun will be going to ODOT on Thursday for a meeting. If the City engineers the whole project for Harrison Avenue, the City can go out for bid within two weeks. Mr. Neal previously authorized CDS to prepare the plans for Harrison Avenue, so the project had a better chance of being approved for the stimulus money.

A meeting was held with CWCA and Meisner Associates concerning the hanging baskets and banners to be placed on the mast arm signals. Mr. Neal has been advised the City can start advertising for bids beginning March 27. Mr. Neal reminded Council that the mast arm signals need to be installed in conjunction with the street construction because they need to be finished before the whole street can be repaved.

Mr. Neal will have a meeting next Wednesday with the County concerning the neighborhood stabilization program. Mr. Neal will report back to Council on the results of this meeting.

Mr. Neal read notes from Theresa Sunderhaus concerning the condemned property on Harrison Avenue. Ms. Sunderhaus received an email about the research Ms. McKinney was doing to find out who is the true owner of the property. Mr. Neal stated that in June the property will be auctioned to the highest bidder. Mr. Neal stated that Theresa was told Mr. Waters should be the one looking into this. Mr. Waters will talk to Ms. Sunderhaus to gain anymore information she may have. Ms. McKinney clarified with Mr. Waters that if there is a public nuisance, the City does not have to wait to correct it. Mr. Neal said that he has received several calls concerning the awning and that if it falls, it will do so in the right of way. Mr. Neal will discuss this further with Mr. Waters in the coming days.

Mr. Neal has received several prices for the pool and sent them on to community development. Mr. Neal is waiting for the go ahead from community development.

**Law Director's Report**

Mr. Waters informed Council that every three years the international property codes are updated and the last time Council updated their property codes was 2006. Mr. Waters stated the 2009 codes have just become available but he has to still order a copy to see if the changes are significant. Often times there are minor technical changes. Mr. Waters will report back to Council if any additional steps need to be taken. The Mayor reminded Mr. Waters that in 2006 there were major changes and that is why Council updated their codes. Mr. Waters hopes to update Council on this matter by the next meeting or shortly thereafter.

**Public Recognition on Other Issues**

No one from the public addressed Council.

**Other Business**

Mr. Stautberg called a meeting of the Finance Committee for Tuesday March 24, 2009 at 6:30pm. The meeting will be to discuss the information the City has received back from the county concerning how much money a levy could generate.

Mr. Stautberg also informed Council that the term of CMHA Chairman of the Board Mr. Driehaus has now expired. Cincinnati City Manager Milton Dahoney will be appointing a new Chairman. Don Driehaus is trying to stay on the board and Mr. Stautberg informed him he will email Mr. Dahoney in support of keeping Mr. Driehaus on the board. Mr. Driehaus has been a major help to the city and Mr. Stautberg encourages other city officials to contact Mr. Dahoney as well. Ms. Zech asked Mr. Stautberg for the email address and stated that Mr. Driehaus has been extremely helpful. Mr. Neal stated that the majority of Cincinnati City Council would like to keep him but it is not their decision. Mr. Dahoney works directly for the Mayor and the Mayor has someone he would like placed in the position.

Mr. McGowan called a meeting of the Streets, Sidewalks, and Lights Committee immediately following the Finance Committee meeting on Tuesday March 24, 2009. The meeting is to discuss private sewers and should be brief.

Mr. Zech would like congratulate Mr. and Mrs. Zech on their 47<sup>th</sup> wedding anniversary. Ms. Zech wished her husband a Happy Anniversary as well. Ms. McKinney wished all a Happy St. Patrick's Day.

**Mayor's Court and Treasurer's Receipts**

Mayor's Court Receipts were received and filed. (Motion by Mr. Stautberg, seconded by Mr. McGowan, 7-0 voice vote)

**Correspondence**

- Cities and Villages
- Estimated Mileage report from County Auditor
- State Auditor JED requirements
- Liquor License Renewal for all in Cheviot
- One Property Maintenance Report from the Building Department

There was a motion to adjourn the meeting by Ms. Zech with a second from Mr. McGowan. The motion passed 7-0 by voice vote. The meeting adjourned at 8:00 P.M.

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Rachel A. McKinney  
Clerk of Council

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Deborah M. McKinney  
President of Council