

## MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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April 18, 2000

The meeting was called to order at 7:34 p.m. with the Pledge of Allegiance and a moment of prayer. Roll call was taken and the following were found in attendance:

Mayor	J. Michael Laumann
President of Council	Samuel D. Keller
Law Director	Mark G. Waters
Safety-Service Director	Steven O. Neal
Council 1st Ward	Michael N. Mastruserio
Council 2nd Ward	Dennis T. Dinkelacker
Council 3rd Ward	James E. Morganroth
Council 4th Ward	Boyd T. Miller
Council at Large	Kathleen Zech
Council at Large	Michael J. Mestemaker
Council at Large	Kathleen M. Goedl
Building Commissioner	Charles H. Meyer

The minutes of the April 4 meeting were approved. Mr. Keller called for reports from Council.

### **Recognition of the Public**

Mr. Michael Metz of 3771 Wilmar Drive addressed Council on behalf of several neighbors in attendance regarding a resident who lives at 3775 Wilmar Drive. Mayor Laumann excused himself from the chambers due to possible conflict of interest in listening to complaints against this resident should this resident appear in front of Mayor's Court. The complaint is that the property at 3775 Wilmar Drive is in total disarray and is in violation of certain ordinances. A signed petition was presented and turned over to the Law Director. Mr. Neal and Mr. Meyer explained the procedures of serving orders to property owners. Several orders have been written on this property, but this particular owner has refused certified mail that was sent. There was general discussion. Jane Reeder of 3715 Wilmar Drive stated that she told the mayor about this property at a Cheviot Seniors Club meeting. Mr. Keller, Mr. Waters, Mr. Miller, Mr. Mestemaker and Mrs. Goedl all gave input. Hugo Rasp of 3745 Wilmar Drive stated that this has gone on for a long time. Mr. Meyer stated that the owner has until April 21<sup>st</sup> to correct the deficiencies and citations will be issued starting April 22<sup>nd</sup> if the corrections are not made. After more discussion, there was a recess of council at 8:11 p.m. Council reconvened at 8:21 p.m.

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

Mr. Neal reported that the street bids were opened on April 13<sup>th</sup> at 11:00 a.m. The City Engineer has recommended going with the low bid of \$194,295.55 submitted by The John R. Jurgensen Company. The bids came in over the estimate for streets. Mr. Neal asked that the 2000 appropriations be amended by \$30,000.00. There was general discussion. There was a motion made by Mr. Morganroth to introduce an ordinance *To Amend The Year 2000 Appropriation In Order To Insure Monies For The 2000 Street Program; And To Declare An Emergency*. There was a second by Mr. Mastruserio. The motion carried 7-0 by voice vote. This was assigned Ordinance No. ORD00-11. There was a motion to suspend the rules made by Mr. Miller with a second by Mrs. Goedl. The motion carried 7-0 by roll-call vote. There was a motion to adopt made by Mr. Morganroth with a second by Mr. Mestemaker. The motion carried 7-0 by roll-call vote and ORD00-11 was adopted. There was a motion made by Mr. Miller to introduce a resolution *To Authorize And Direct The Safety-Service Director To Accept The Bid Of John R. Jurgensen Company In The Amount Of \$194,295.55 For The Year 2000 Street Improvement Project; And To Declare An Emergency*. There was a second by Mr. Dinkelacker. The motion carried 7-0 by voice vote. This was assigned Resolution No. RES00-08. Bids for insurance coverage for the City of Cheviot were opened on April 11<sup>th</sup> at 11:00 a.m. Mr. Neal recommends accepting the bid from Murphy Insurance for \$38,825.00 per year for a 3 or 5-year contract. Mr. Neal stated that the city requires insurance coverage to be guaranteed and insured by the State of Ohio Insurance Board. There was general discussion. This was placed into the Public Utilities & Works Committee for further research. Mr. Neal stated that air conditioning was approved for the lower level of the Cheviot Fieldhouse. He also stated that another project will be to lower the ceiling at Harvest Home Lodge. He has approached the Cheviot-Westwood Kiwanis. They have agreed to pay \$8,000.00 of the \$16,000.00 estimated to lower the ceiling. The Cheviot Newsletter is due to be at the printer this week and will be distributed throughout the city the first weekend in May. The Municipal Swimming Pool will open on June 10<sup>th</sup>. There was a motion made by Mrs. Goedl to authorize the Safety-Service Director a one-time exemption to the spending limit of \$10,000.00 so he can proceed with the

**Safety Service Director's Report (continued)**

purchase of the air conditioning system for the fieldhouse. There was a second by Mrs. Zech. The motion carried 7-0 by voice vote.

**Mayor's Report**

Mayor Laumann announced that the Community Development Department has received approval for the 2000-2002 Consolidated Plan Program for community development funding. The city will receive \$140,000.00 in 2001 for the Harding Avenue Reconstruction Project. The mayor also stated The Hamilton County Board of Elections is requiring the precinct and ward boundary lines in the city be adjusted and suggested that this be placed in committee. Mr. Keller assigned this to the ward council people to look into with Mr. Morganroth as chairman. There was general discussion. There was also discussion of the balance of the general fund. The March Treasurer's Report will be held over to the next meeting.

**Law Director's Report**

Mr. Waters stated that the Taylor case was dismissed last Thursday. A new promotional list for the rank of police sergeant will be prepared by the Civil Service Commission and given to the mayor for certification. Patrolman Taylor is first on that list with Patrolman Denney coming in second. Mr. Waters will be in front of Judge Schweikert on April 28<sup>th</sup> regarding the Kevin Broderick case. The arbitrator has taken the position of the city that the responsibility is that of the Bureau of Workers Compensation regarding the approximate \$3000.00 that is claimed to have been shorted Mr. Broderick. He will continue to fight on behalf of the city in this matter. Mrs. Goedl asked Mr. Waters about legislation that is needed to give the Tax Department and the Building Department the authority to work together on the issuance of building permits in the city. Mr. Waters stated that he would contact Mr. Nolan on this matter.

**Committee Reports**

Ward 1 – Mr. Mastruserio read a Wage Negotiation Committee report into the record. There was a motion to receive and file the report made by Mr. Morganroth with a second by Mr. Mestemaker. The motion carried 7-0 by voice vote. There was discussion regarding reimbursements and out of pocket expenses. A separate ordinance will be drafted to accomplish this and will be ready for passage on May 2<sup>nd</sup>. There was a motion made by Mr. Mastruserio to introduce an ordinance *To Establish The Position Of Cable Coordinator; To Fix A Salary For The Position; And To Declare An Emergency*. There was a second by Mr. Morganroth. The motion carried 7-0 by voice vote. This was assigned Ordinance No. ORD00-12. There was a motion to suspend the rules made by Mrs. Goedl with a second by Mr. Dinkelacker. The motion carried 7-0 by roll-call vote. There was a motion to adopt made by Mr. Miller with a second by Mrs. Goedl. The motion carried 6-0-1 by roll-call vote (Mrs. Zech abstaining) and ORD00-12 was adopted. There was a motion made by Mr. Mastruserio to introduce an *Ordinance Establishing The Salary And Benefits Of The Safety-Service Director Of The City Of Cheviot For The Years 2000, 2001, And 2002; And Declaring An Emergency*. There was a second by Mr. Morganroth. The motion carried 7-0 by voice vote. This was assigned Ordinance No. ORD00-13. There was a motion to suspend the rules made by Mr. Mestemaker with a second by Mr. Miller. The motion carried 7-0 by roll-call vote. There was a motion to adopt made by Mr. Miller with a second by Mr. Mestemaker. The motion carried 7-0 by roll-call vote and ORD00-13 was adopted. There was a motion made by Mr. Mastruserio to introduce an *Ordinance Establishing The Salary And Benefits For The Foreman Of The Public Works Department Of The City Of Cheviot For The Years 2000, 2001, And 2002; And Declaring An Emergency*. There was a second by Mr. Morganroth. The motion carried 7-0 by voice vote. This was assigned Ordinance No. ORD00-14. There was a motion to suspend the rules made by Mrs. Zech with a second by Mr. Miller. The motion carried 7-0 by roll-call vote. There was a motion to adopt made by Mr. Miller with a second by Mrs. Zech. The motion carried 7-0 by roll-call vote and ORD00-14 was adopted. There was a motion made by Mr. Mastruserio to introduce an *Ordinance Establishing The Salary And Benefits For The Fire Chief And Police Chief Of The City Of Cheviot, State Of Ohio, For The Years 2000, 2001, And 2002; And Declaring An Emergency*. There was a second by Mr. Morganroth. The motion carried 7-0 by voice vote. This was assigned Ordinance No. ORD00-15. There was a motion to suspend the rules made by Mr. Miller with a second by Mr. Dinkelacker. The motion carried 7-0 by roll-call vote. There was a motion to adopt made by Mr. Morganroth with a second by Mrs. Zech. The motion carried 7-0 by roll-call vote and ORD00-15 was adopted. There was a motion made by Mr. Mastruserio to introduce an *Ordinance Establishing The Salary And Benefits For The Secretary To The Mayor, Assistant Auditor And The Clerk Of The Mayor's Court Of The City Of Cheviot For The Years 2000, 2001, And 2002; And Declaring An Emergency*. There was a second by Mr. Morganroth. The motion carried 7-0 by voice vote. This was assigned Ordinance No. ORD00-16. There was a motion to suspend the rules made by Mr. Miller with a second by Mrs. Zech. The motion carried 7-0 by roll-call vote. There was a motion to adopt made by Mr. Dinkelacker with a second by Mrs. Zech. The motion carried 7-0 by roll-call vote and ORD00-16 was adopted. There was a motion to amend the pay ordinances

**Committee Reports (continued)**

changing language that states the city will reimburse doctor office visit co-payments made by Mr. Miller with a second by Mr. Mestemaker. The motion carried 7-0 by voice vote. There was a motion made by Mr. Mastruserio to introduce an *Ordinance Establishing The Salary And Benefits Of The Deputy Tax Commissioner, And The Hourly Rate And Benefits Of The Tax Office Clerk For The Years 2000, 2001, And 2002; And Declaring An Emergency*. There was a second by Mr. Morganroth. The motion carried 7-0 by voice vote. This was assigned Ordinance No. ORD00-17. There was a motion to suspend the rules made by Mrs. Goedl with a second by Mr. Dinkelacker. The motion carried 7-0 by roll-call vote. There was a motion to adopt made by Mr. Morganroth with a second by Mr. Miller. The motion carried 7-0 by roll-call vote and ORD00-17 was adopted. Mrs. Goedl asked that ORD00-12 be amended to state that salary is to be paid monthly and be retroactive to January 1, 2000. Mr. Waters stated that he would draft a new ordinance to accomplish that. Mr. Mastruserio called a Public Utilities & Works Committee meeting to be held on Saturday, April 22<sup>nd</sup> at 10:00 a.m. to discuss the issue of insurance coverage.

Ward 2 -- Mr. Dinkelacker has made contact with a few people at MSD regarding acquiring SCIP money to help repair or upgrade our storm water and sanitary sewer system. He also asked Mr. Neal as to when the crosswalks in the city will be painted.

Ward 3 -- Mr. Morganroth had no report.

Ward 4 -- Mr. Miller reminded everyone of the Arbor Day celebration to be held on April 28<sup>th</sup> at 1:00 p.m. at the Harvest Home Park back shelters.

Council at Large -- Mr. Mestemaker had no report. He commented on Anthony's Restaurant and how successful it has become.

Council at Large -- Mrs. Zech read into the record a Laws, Rules & Ordinances Committee report from a meeting held on April 5<sup>th</sup>. There was a motion to receive and file the report made by Mrs. Zech with a second by Mr. Mastruserio. The motion carried 7-0 by voice vote. The second reading of *An Ordinance Restricting Parking On Lawns* (ORD00-10) was accomplished. The third and final reading will be on May 2<sup>nd</sup>. There was a motion to introduce for its first reading *An Ordinance Restricting Vicious And Dangerous Dogs* made by Mrs. Zech with a second by Mr. Mestemaker. The motion carried 7-0 by voice vote. This was assigned Ordinance No. ORD00-18. The second reading will be on May 2<sup>nd</sup>. Mrs. Zech read into the record a Laws, Rules & Ordinances Committee report from a meeting held on April 15<sup>th</sup>. There was a motion to receive and file the report made by Mrs. Zech with a second by Mr. Dinkelacker. There was a motion made by Mr. Miller to introduce *A Resolution To Inform State Legislators And State Executive Leaders Of Support For Equitable Annexation Reform As Proposed By The Ohio Coalition For Equitable Annexation (OCEA) And Opposition To "Annexation Reform" Which Restricts City Growth And Property Owners' Choices*. There was a second by Mrs. Zech. The motion carried 7-0 by voice vote. This was assigned Resolution No. RES00-09. Mr. Morganroth made a recommendation that copies of this resolution be sent to general council and also Representative Winkler.

Council at Large -- Mrs. Goedl commented on the Maintenance Department's work done on Westwood-Northern Boulevard. Mrs. Goedl stated that she received a letter from the city auditor asking for an ordinance to be passed at the next council meeting increasing the 2000 Appropriations. There was a motion made by Mrs. Goedl to introduce a resolution *To Authorize The Transfer Of \$201,433.00 From The General Contingency Fund; And To Declare An Emergency*. There was a second by Mrs. Zech. The motion carried 7-0 by voice vote. This was assigned Resolution No. RES00-10.

Further Business --

Correspondence --The Clerk announced that the Harvest Home Savings Bank has merged with another bank and will be changing its name to Peoples Community Bank effective May 1, 2000.

There was a motion to adjourn made by Mr. Morganroth with a second by Mr. Dinkelacker. The motion passed 7-0 by voice vote. Council adjourned at 9:42 p.m.

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Michael J. Murray  
Clerk of Council

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Samuel D. Keller  
President of Council