

## **MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO**

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May 1, 2007

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

Mayor	Samuel D. Keller
President of Council	Michael J. Mestemaker
Law Director	Mark G. Waters
Safety Service Director	Steven O. Neal
Council 1 <sup>st</sup> Ward	Ryan T. Zech
Council 2 <sup>nd</sup> Ward	Dennis T. Dinkelacker
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	Charles L. Norman
Council at Large	Steven L. Braun

The minutes of April 17<sup>th</sup>, 2007 were approved. President Mestemaker called for the reports that would be presented.

### **Recognition of the Public**

No one from the public wished to speak.

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

Mr. Neal updated Council on the bids for the restoration of the exterior of the Cheviot Municipal Building and recommended that Council accept the bid of Brian Brothers, Inc. as the best and lowest bid. Mr. Neal informed Council of a recent Cincinnati Enquirer article about Cheviot's new Property Maintenance Code. Mr. Neal informed Council that in the past two days the Property Maintenance Inspector cited 37 properties for tall grass. Mr. Neal read a letter from a resident regarding problem properties on Lovell Avenue. Mr. Neal said he is trying to give owners of problem properties a chance to correct violations on their own now that the weather has warmed up, but stated that starting on May 15<sup>th</sup> the Property Maintenance Inspector will begin to cite owners of properties that are still in violation of the new code. Mr. Neal informed Council he is currently monitoring three foreclosed properties that the City may be able to purchase for one dollar through HUD. Mr. Neal informed everyone that the Cheviot Municipal Swimming Pool will be open Memorial Day weekend for the first time, and that the regular season will begin on June 2<sup>nd</sup>. Mr. Neal informed everyone that residents will be able to purchase passes for the Pool at a discounted rate until May 25<sup>th</sup>. Mr. Neal informed Council that one of the flagpoles in front of the Cheviot Fieldhouse sustained damage from a tree that grew over it and has been replaced. Mr. Neal informed Council that as of June 1<sup>st</sup>, the City will have a new telephone/Internet service provider which will save the City roughly \$400 to \$500 per month. Mr. Neal informed Council that he recently attended a "First Suburbs" meeting and gave Council a brief update. Mr. Waters informed Council that he received a call from the City of Harrison's Law Director requesting a copy of Cheviot's new Property Maintenance Code, and reminded everyone that the code officially went into effect today. Mr. Neal noted that other cities have called about the Property Maintenance Code as well. There was much discussion.

### **Mayor's Report**

Mayor Keller informed Council that he received a phone call from a local businessman who is looking to start a new business in Cheviot and ran into a zoning issue pertaining to parking. The Mayor informed Council that he told this person that neither he nor Council would be able to address this issue, as it is a Building Department issue, but that the case could be taken to the Zoning Board of Appeals. The Mayor informed Council that he has spoken with the Building Commissioner, who indicated that since it was not a safety issue, he neither supported nor opposed the proposal. The Mayor informed everyone that he is speaking to members of the business community asking for their input on the proposal, and asked Council to do the same. Mayor Keller then informed Council that the Tax Commissioner has told him that it looks like revenues generated by various city taxes will be down significantly for the year. The Mayor

said he doesn't have solid numbers yet, but that he will be pushing the Tax Commissioner to provide these numbers as soon as possible. The Mayor asked the President of Council to put this issue into committee to find out the best ways to address the issue. President Mestemaker referred the issue to the Finance Committee. Mayor Keller recommended the Tax Commissioner attend this meeting as well. There was much discussion.

### **Law Director's Report**

Mr. Waters gave Council a copy of a Court Opinion relating to a cemetery case in the City of Cincinnati in which the Court placed the burden of taking over an abandoned cemetery in Cincinnati on the City.

### **Committee Reports**

Ward 1 - Mr. Zech read a report of the Parks and Playgrounds Committee into the record. Mr. Zech made a motion to receive and file the report with a second from Mr. Stautberg. The motion carried 7-0 by voice vote. Mr. Zech reminded everyone that the new Property Maintenance Code officially went into effect today. Mr. Zech then updated Council on the CWCA's efforts regarding the Westside Streetfest.

Ward 2 - Mr. Dinkelacker had no formal report. Mr. Dinkelacker informed Council that the Project Impact meeting scheduled for Wednesday, April 25<sup>th</sup> at 6:30 P.M. was rescheduled due to a conflict with the First Suburbs meeting. The Project Impact meeting will now be held on Wednesday, May 9<sup>th</sup> at 6:30 P.M. in the Fire Department Meeting Room. Mr. Zech updated Council on the First Suburbs meeting.

Ward 3 - Mr. Sunderhaus had no formal report. Mr. Sunderhaus informed Council that he has spoken to Police Chief Voss regarding the proposed "Good Tickets" program and that the Police Chief is interested. Mr. Sunderhaus informed Council that he plans to speak to Chris Baker of the CWCA about the program later in the week. Mr. Sunderhaus updated Council on the Citizens on Patrol summit he attended with Mr. Braun and informed Council that he plans to call a Police and Fire Committee meeting about starting such a program in Cheviot. Mr. Sunderhaus reminded everyone of the Westside Health and Safety Expo to be held by the Cheviot Police and Fire Departments at the Cheviot Fieldhouse on Saturday, May 12<sup>th</sup> from 10:00 A.M. to 4:00 P.M. Mr. Neal asked the Law Director if there would be any potential liability issues if the City did enact a Citizens on Patrol program. The Law Director informed everyone that the City could have participants sign waivers before participating. Mr. Sunderhaus added that there will be a training program for participants.

Ward 4 - Mr. Stautberg had no formal report. Mr. Stautberg updated everyone on the status of the City's Gas Aggregation Program. Mr. Neal asked how much residents stand to save from this program. Mr. Stautberg stated that while there is no guarantee, other cities who participate in this type of program estimate their citizens save on average \$125.00 per year per household.

Council at Large – Mrs. Zech had no formal report. Mrs. Zech updated Council on her progress working with American Legal Publishing to codify the City's Ordinances, and informed Council that she expects to have a price for this service by the next regular meeting of Council.

Council at Large - Mr. Norman had no formal report. Mr. Norman made a motion *To Raise The Rate Of Hourly Compensation For The Parking Meter Enforcement Officer And Assistant Court Clerk Positions; And To Declare An Emergency* with a second from Mr. Sunderhaus. After some discussion, the motion carried 7-0 by voice vote and was assigned as ORD 07-15. Mr. Sunderhaus made a motion to suspend the rules with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. Mr. Dinkelacker made a motion to adopt with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote. Mr. Norman informed everyone that there will be an informational booth for the Citizens on Patrol program at the Westside Streetfest and thanked Chris Baker of Second Street Saloon for her support of the effort. Mr. Neal informed Council that he has asked for quotes for the City's Insurance Coverage to be submitted by May 15<sup>th</sup>. Mr. Zech reminded Mr. Neal that Council is planning to act upon his recommendation on this matter. There was some discussion.

Council at Large - Mr. Braun had no formal report. Mr. Braun made a motion *To Accept The Bid Of Brian Brothers, Inc., For The Restoration Of The Exterior Of The Cheviot Municipal Building; To Authorize The Safety-Service Director To Enter Into A Contract On Behalf Of The City; And To Declare An Emergency* with a second from Mr. Stautberg. The motion carried 7-0 by voice vote and was assigned as ORD 07-16. Mr. Sunderhaus made a motion to suspend the rules with a second from Mr. Zech. The motion carried 7-0 by roll call vote. Mr. Dinkelacker made a motion to adopt with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. Mr. Braun then wished his wife a happy birthday.

### **Further Business**

Mr. Sunderhaus called a meeting of the Police and Fire Committee for Thursday, May 10<sup>th</sup> at 7:00 P.M.

Mayor Keller informed Council that the Cheviot Police Explorers and Fire Department collected \$1,300.00 for the American Cancer Society's "Relay for Life" campaign through a "fill the boot" campaign earlier in the afternoon in front of City Hall.

### **Correspondence**

Two Legislative Bulletins and a copy of "Cities and Villages" Magazine from the Ohio Municipal League, a newsletter from the Alliance for Chemical Safety, a notice of a rate increase for legal affidavits from The Community Press, a Property Maintenance report, a newsletter from CDS Associates, Inc., and an Examination Announcement for the State of Ohio were received.

There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Zech. The motion passed 7-0 by voice vote. The meeting adjourned at 8:20 P.M.

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Matthew D. McGowan  
Clerk of Council

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Michael J. Mestemaker  
President of Council