

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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May 16, 2006

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 st Ward	Ryan T. Zech
Council 2 nd Ward	Dennis T. Dinkelacker
Council 3 rd Ward	James F. Sunderhaus
Council 4 th 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 18th, 2006 and April 28th, 2006 were approved. President Mestemaker called for the reports that would be presented. Mayor Keller informed Council that he would be requesting a brief Executive Session before the end of the meeting to discuss the ongoing wage negotiations with the City's Police, Fire, and Public Works Departments.

Recognition of the Public

No one from the public wished to speak.

Safety-Service Director's Report

Mr. Neal informed Council that bids were opened for the Load Packing Unit for the City on Friday April 28th, and gave feedback on each bid that has been received. Mr. Neal pointed out that this issue will be further addressed later in the meeting. Mr. Neal informed Council that bids can open on the Gamble Avenue Project on June 1st but that bids can't be awarded until July, and that Council may need to meet for a special session to award the bid. Mr. Neal also informed Council that the contractor working on the Darwin, Dina and Lovell Avenue Projects plans to begin work in mid-July. He reminded Council that the Cheviot Municipal Pool will open on June 3rd and that discount passes for residents will be sold at City Hall until May 26th. Mr. Neal informed Council that 49 notices have been sent to Cheviot property owners regarding tall grass, and that the City has cut the grass at four of the properties. Mr. Neal informed Council that Public Works Superintendent Tom Braun has begun doing property inspections and, to date, has issued 5 major orders regarding property upkeep. He then reminded Council of the Memorial Day Parade on May 29th at 11AM.

Mayor's Report

Mayor Keller informed Council that the owners of the property and facilities formerly known as the Hillebrand Nursing Center have resolved their legal issues and are moving forward with their renovation project. The target date for completion is April 1st, 2007. The Mayor said he will be meeting with all involved parties on the project and will keep Council informed of the progress. The Mayor also informed Council that he has met with the owners of the vacant Frank's Nursery property regarding possible sale or development of the property, and hopes to have more information for Council in the near future. He also plans to contact the owners of the vacant Roy Rodgers Restaurant property to offer assistance in any possible future development or sale of that property. Mayor Keller then reminded Council that he intends to ask for a brief Executive Session before the end of the meeting to discuss the ongoing wage negotiations with the City's Police, Fire, and Public Works Departments.

Law Director's Report

Mr. Waters informed Council that the Sign Ordinance is nearly complete, and that he expects it to be finished by the next regular meeting of Council. He then informed Council of a letter he received from

WPS Energy Services regarding a meeting to discuss how WPS can assist cities and townships utilize Natural Gas Aggregation to save money. Mr. Neal informed Mr. Waters that Cheviot does purchase gas and electric in this fashion for City property. Mr. Waters informed Council that City residents would be able to purchase their gas and electric through WPS as well. Mr. Neal asked about the status of the ordinance creating an official Property Maintenance Inspector. Mr. Zech informed Mr. Neal that such an ordinance cannot be completed until the Sign Ordinance is finished and adopted. There was much discussion. President Mestemaker asked Mr. Stautberg to attend the WPS meeting and report on it to Council.

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. Dinkelacker. The motion carried 7-0 by voice vote. Mr. Zech read a report of the Internal Affairs 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 then read a second report of the Internal Affairs Committee into the record. Mr. Zech made a motion to receive and file the report with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote. Mr. Zech notified residents that ORD 06-09, a motion *To Reject All Insurance Bids And Authorize The Safety-Service Director To Purchase Temporary Insurance; And To Declare An Emergency* was passed at the special session of Council on April 28th, 2006 and that Mr. Neal selected a bid offered by Mariemont Insurance. Mr. Zech then informed Council that CWCA had received a write-up in the most recent issue of *CiN Weekly*, and that the Westside Streetfest is moving forward as planned. Mr. Waters pointed out a typographical error in his copy of ORD 06-09; President Mestemaker informed Council that it has been corrected on the official copy.

Ward 2 - Mr. Dinkelacker had no formal report, but did inform Council that the City is moving forward with meetings with the Hamilton County Regional Planning Commission. He will have additional information for Council in the near future. Mrs. Zech informed Mr. Dinkelacker that the HCRP is still in the process talking to other communities and that they said they should have a report for the City by the next regular meeting of Council.

Ward 3 - Mr. Sunderhaus had no formal report. He did inform Council that he attended a training session on Asset-Based Community Development given by State Rep. Steve Driehaus on April 28th, and that he plans on sharing the information he learned with the appropriate committee at their next meeting. Mr. Sunderhaus informed Council that the Cheviot Police Explorers recently competed in a County-wide Law Enforcement competition on April 22nd and that the post finished 1st in the arrest, search and seizure competition and 2nd in the domestic violence competition. He then informed Council that police personnel received CPR training and attended an Ohio Liquor Training Seminar on May 13th. Mr. Sunderhaus informed Council that a rape suspect who committed crimes in Cheviot and Green Township was recently convicted after a three-day jury trial, and commended the Police for the job they did in bring this person to justice. He then informed Council that a teacher at Cheviot School is currently being investigated for inappropriate conduct with a student. He went on to state that this person has been reassigned and poses no further threat to any of the children at the school. Mr. Sunderhaus informed Council that Police Chief Voss is requesting an ordinance to regulate begging due to several complaints he has received from residents about aggressive panhandling. Mr. Sunderhaus stated that he would research the issue and call a Police and Fire Committee meeting to discuss the issue further. Mr. Sunderhaus then told Mr. Zech that he thought four months was plenty of time to complete the Property Maintenance ordinance. Mrs. Zech reminded Council that the Property Maintenance Ordinance could not be completed until the Sign Ordinance was passed.

Ward 4 - Mr. Stautberg read a report of the Public Utilities Committee into the record. Mr. Stautberg made a motion to receive and file the report with a second from Mr. Zech. The motion carried 7-0 by voice vote. Mr. Stautberg made a motion *To Approve The Agreement With The Hamilton County Department Of Environmental Service, Solid Waste Management District, For The Provision Of A \$30,000 Grant To Be Used For The Purchase Of A Refuse Truck; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion then carried 7-0 by voice vote

and was assigned as ORD 06-10. Mrs. Zech 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 Mr. Braun. The motion carried 7-0 by roll call vote. Mr. Stautberg then thanked Mr. John Locke of ReMax for cutting the grass at a local house they have listed for sale.

Council at Large - Mrs. Zech had no formal report. She did call a meeting of the Laws, Rules, and Ordinances Committee for Tuesday, May 23, 2006 at 7:30 PM.

Council at Large - Mr. Norman had no formal report. Mr. Norman made a motion *To Transfer Funds; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as RES 06-05. Mr. Norman made a motion *To Establish A New Budget Line Item For The Expenditure Of Funds For Homeland Security; To Appropriate Money To The Newly Established Line Item; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as ORD 06-11. Mr. Dinkelacker made a motion to suspend the rules with a second from Mr. Stautberg. The motion carried 7-0 by roll call vote. Mr. Sunderhaus made a motion to adopt with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. Mr. Norman made a motion to pass *An Ordinance Providing For The Issuance Of Equipment Acquisition General Obligation Bonds By The City Of Cheviot, Ohio, In An Amount Not To Exceed \$210,000 For The Purpose Of Acquiring Equipment For Use By The City And Declaring An Emergency* with a second from Mr. Stautberg. The motion carried 7-0 by voice vote and was assigned as ORD 06-12. Mr. Zech made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mr. Sunderhaus made a motion to adopt with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. Mr. Norman informed Council that the items the City can purchase due to this ordinance were very badly needed. Mr. Norman made a motion *To Accept The Bid Of McNeilus Truck And Manufacturing Company For The Supply Of A Loadpacker Unit; And To Declare An Emergency* with a second from Mr. Braun. The motion carried 7-0 by voice vote and was assigned as ORD 06-13. Mr. Sunderhaus made a motion to suspend the rules with a second from Mr. Stautberg. The motion carried 7-0 by roll call vote. Mr. Zech made a motion to adopt with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mr. Norman the called a Finance Committee meeting for Tuesday, May 23rd, 2006 at 6:30 PM to discuss the cable budget. Mr. Norman informed Council that representatives of the Cincinnati Metropolitan Housing Authority would be coming by afterwards to discuss public housing issues. Mr. Neal asked Mr. Norman if that meeting could be rescheduled so that representatives from the City's Building Department could be present. Mr. Norman said he'd look into moving the date.

Council at Large - Mr. Braun had no formal report, but did announce that a second public hearing on the Marydell Avenue access issue would be scheduled once he can confirm a date when Police Chief Voss and Fire Chief Clark can attend. Mr. Braun made a motion *To Authorize The Safety-Service Director To Advertise For Bids For The Gamble Avenue Reconstruction Project; And To Declare An Emergency* with a second from Mrs. Zech. The motion carried 7-0 by voice vote and was assigned as RES 06-06. Mayor Keller asked if the residents of Marydell Avenue would be notified of the Public Hearing via mail; Mr. Braun said they would.

Further Business

President Mestemaker decided Council would hold off on receiving and filing the April 2006 Treasurer's Report until further clarification was received from the Treasurer regarding the February 2006 report. Mr. Zech made a motion to receive and file the April 2006 Mayor's Court Receipts with a second from Mr. Sunderhaus. The motion passed 7-0 by voice vote.

Correspondence

A Legislative Bulletin from the Ohio Municipal League, a letter from RESCOM regarding an expansion project at the existing telecommunications tower facility at 5836-5838 Glenway Avenue, a letter announcing the WPS Energy Services meeting regarding Natural Gas Aggregation for cities and townships, a letter from Matthew Murphy of Murphy Insurance, and seven Property Maintenance Reports were received.

Mrs. Zech made a motion to adjourn to Executive Session with seconds from Mr. Norman and Mr. Sunderhaus. Council adjourned into executive session at 8:25 P.M. and returned at 9:10 P.M.

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 9:11 P.M.

Matthew D. McGowan
Clerk of Council

Michael J. Mestemaker
President of Council