

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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July 18, 2006

The regular session of Council was called to order at 7:35 P.M. following a public hearing on the tax budget. The Pledge of Allegiance and a moment of prayer were held. 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
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 June 20th, 2006 and July 5th, 2006 were approved. President Mestemaker called for the reports that would be presented.

Recognition of the Public

Mr. William Clark of Alta Vista Avenue addressed Council regarding a recent Channel 9 "I-Team" report about the Cheviot Police Department and issues surrounding the citizens' complaint system. Mr. Clark asked Council to address the issue of a complaint brought forth by an undercover reporter that allegedly was not handled in the correct manner. Mayor Keller informed Mr. Clark that that he has already addressed the issue, and that the "I-Team" investigation failed to report the whole story. The Mayor said that after completing an investigation with Safety-Services Director Steven Neal and Police Chief Voss, the Police Chief will begin using a new complaint form, and that Police policy will be revised to reflect the new procedure. Mayor Keller added that he views anonymous complaints as worthless due to a lack of accountability, and that the new form will need to be completed in full so the complaint can be investigated properly. Mr. Zech added that there are two versions of the "I-Team" report on the Channel 9 website (one containing the complete, unedited report), and that citizens should view the unedited version for the complete story. Mayor Keller informed Mr. Clark that the part-time Police Officer mentioned in the report made an error in reviewing the existing policy on how to handle the situation. The Mayor added that reports such as these only highlight the bad, rarely noting the many good things the Police Department does. Law Director Mark Waters pointed out that in his experience whenever there is a complaint against the Cheviot Police, Chief Voss has never hesitated to turn the matter over to the Hamilton County Sheriff for an independent and impartial investigation.

Safety-Service Director's Report

Mr. Neal forwarded a report to Council which is on file at City Hall.

Mayor's Report

Mayor Keller reiterated to everyone that the City Administration has dealt with the Police complaint issue and that he, the Safety-Service Director and the Police Chief are in the process of making revisions to Police policy to ensure the matter is resolved. He added that there is currently no State mandate on how to handle complaints against Police Departments and that the City is ahead of the game in doing so on our own. Mayor Keller stated the new complaint form will have required fields including contact information for the person making the complaint to ensure that all complaints are handled thoroughly and properly. Mayor Keller informed Council that he and the Law Director have reviewed two of the three contracts currently being negotiated with the City's Police, Fire and Public Works Departments, and that Mr. Waters has prepared the ordinances enabling the City to move forward on these and other issues, including the tax budget and the general health district. Mayor Keller added that he needs to meet with Mr. Zech before the next regular Council meeting regarding a few remaining issues surrounding City Administrative Personnel and pay increases.

Law Director's Report

Mr. Waters had no formal report.

Committee Reports

- Ward 1 - Mr. Zech had no formal report. Mr. Zech informed Council that the Police Department has formally added a park patrol at Harvest Home Park and that, according to the Safety-Service Director in his report, some of the problems that had been occurring at the park have initially subsided. Mr. Zech then updated Council on the Cemetery Project, saying that he has learned that the City will not need to officially close the cemetery on Harrison Avenue with the State, as it is already closed. Mr. Zech then thanked Police Officer Dennis Palmer for allowing him to participate in a ride along with the Cheviot Police and for his professionalism. Mr. Zech added that he has received calls regarding the sidewalk project on Delmar Avenue. He informed residents that money will need to be transferred to the sidewalk fund to complete the work. Mr. Zech then thanked the City Maintenance crew for the excellent work they did cleaning up after Westfest.
- Ward 2 - Mr. Dinkelacker read a report of the External Affairs Committee into the record. Mr. Dinkelacker made a motion to receive and file the report with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote. Mr. Dinkelacker added that representatives from Hamilton County's "Project Impact" will be holding a training seminar for the proposed Planning Commission on July 27th at 1pm. He asked that anyone who would like more information contact him or Mrs. Zech. Mr. Dinkelacker made a motion *To Approve The Contract With The Advisory Council Of The Hamilton County General Health District For The Provision Of Public Health Services In Calendar Year 2007 With Automatic Renewals; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as RES 06-10.
- Ward 3 - Mr. Sunderhaus had no formal report. Mr. Sunderhaus congratulated Jeff and Emily Weckenborck on the birth of their daughter Iris on June 30. Iris was delivered in her home with the assistance of members of the Cheviot Police and Fire Departments. Mr. Sunderhaus announced that the Cheviot Library would be holding its "Heroes Day" celebration on July 19th and that the Cheviot Police, Fire and Public Works departments would be participating. Mr. Sunderhaus then congratulated Police Officer Bob Uhl on receiving the Service Award from the American Legion. Mr. Sunderhaus made a motion *To Approve The Collective Bargaining Labor Contract With A.F.S.C.M.E. For The Years 2006-2009; And To Declare An Emergency* with a second from Mr. Stautberg. The motion carried 7-0 by voice vote and was assigned as ORD 06-18. 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. Waters requested that copies of the actual contracts associated with all labor ordinances be attached to the ordinances when they are filed. Mr. Sunderhaus made a motion *To Approve The Collective Bargaining Labor Contract With The Cheviot Professional Firefighters Union For The Years 2006-2009; And To Declare An Emergency* with a second from Mr. Zech. The motion carried 7-0 by voice vote and was assigned as ORD 06-19. Mr. Sunderhaus made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion to adopt with a second from Mr. Stautberg. The motion carried 7-0 by roll call vote. Mr. Sunderhaus made a motion *To Approve The Collective Bargaining Labor Contract With The Fraternal Order Of Police, Ohio Labor Council, Inc. (Police Officers And Sergeants) For The Years 2006-2009; And To Declare An Emergency* with a second from Mr. Braun. The motion carried 7-0 by voice vote and was assigned as ORD 06-20. Mr. Zech made a motion to suspend the rules with a second from Mr. Sunderhaus. 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.
- Ward 4 - Mr. Stautberg had no formal report. Mr. Stautberg informed Council that he, Mrs. Zech, Mr. Norman and Mr. McGowan had a meeting with representatives of Energy Alliances regarding the possibility of the City participating in a gas aggregation program to help residents and businesses save money on their energy costs. Mr. Stautberg called a Public Hearing for Monday, July 21st at

7 P.M. to further discuss the possibility of joining a gas aggregation program. Mr. Stautberg added that he was assured by the representatives from Energy Alliances that there would be no cost incurred by the City or its residents with this program and that they cited specific examples of similar programs saving other cities and their residents money. Mr. Stautberg congratulated CWCA for another successful Westside Streetfest.

Council at Large - Mrs. Zech gave a verbal report of a meeting of the Laws, Rules, and Ordinances Committee regarding the proposed Sign Ordinance and stated she would call a Public Hearing on the Ordinance at the next regular meeting of Council. Mrs. Zech then gave the third reading of the proposed Sign Ordinance.

Council at Large - Mr. Norman had no formal report. Mr. Norman made a motion *To Approve The Projected Year 2007 Tax Budget For the City Of Cheviot, Ohio; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as ORD 06-21. Mr. Norman 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. Stautberg. The motion carried 7-0 by roll call vote. Mr. Norman made a motion *To Request That The Hamilton County Auditor Certify To The City Of Cheviot The Tax Levy Calculations Enumerated In Section 5705.03(B) Of The Ohio Revised Code; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as RES 06-11. Mr. Norman made a motion *To Request That The Hamilton County Auditor Certify To The City Of Cheviot The Tax Levy Calculations Enumerated In Section 5705.03(B) Of The Ohio Revised Code; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as RES 06-12. Mr. Norman made a motion *To Transfer Funds To The Sidewalk Maintenance and Repair Fund; And To Declare An Emergency* with a second from Mr. Zech. The motion carried 7-0 by voice vote and was assigned as RES 06-13. Mr. Norman made a motion *To Transfer Funds; And To Declare An Emergency* with a second from Mr. Stautberg. The motion carried 7-0 by voice vote and was assigned as RES 06-14. 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 06-15. Mr. Norman made a motion *To Amend The 2006 Annual Appropriations; And To Declare An Emergency* with a second from Mr. Braun. The motion carried 7-0 by voice vote and was assigned as ORD 06-22. Mr. Dinkelacker made a motion to suspend the rules with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion to adopt with a second from Mr. Zech. The motion carried 7-0 by roll call vote.

Council at Large - Mr. Braun had no formal report, but did announce that the Gamble Avenue project will be moving forward in the next few weeks.

Further Business

Mr. Sunderhaus made a motion to receive and file the June 2006 Mayor's Court Receipts with a second from Mr. Zech. The motion passed 7-0 by voice vote. Mr. Sunderhaus made a motion to receive and file the June 2006 Treasurer's Report with a second from Mr. Dinkelacker. The motion passed 7-0 by voice vote.

Correspondence

Eight Property maintenance reports, a memo from Auditor Daniel Murphy, and a copy of Cities & Villages Magazine from the Ohio Municipal League were received.

Mr. Zech wished Mr. McGowan a happy birthday, and President Mestemaker thanked the Mayor and Law Director for all their hard work on the labor negotiations with the City's Police, Fire, and Public Works Departments.

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.

Matthew D. McGowan
Clerk of Council

Michael J. Mestemaker
President of Council