

Minutes of City Council Meeting Cheviot, Ohio

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September 6, 2011

The regular session of Council was called to order at 7:30P.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
Law Director	Mark Waters
Safety-Service Director	Tom Braun
Council 1 st Ward	Ryan Zech
Council 2 nd Ward	Matt McGowan
Council 3 rd Ward	James Sunderhaus
Council at Large	Kathleen Zech
Council at Large	Dennis Dinkelacker
Council at Large	Steve Braun

President McKinney stated Mr. Clark was out of town and would not be in attendance this evening. A motion to excuse Mr. Clark was made by Mr. Sunderhaus, seconded by Mr. Braun. The motion passed with a 6-0 voice vote. President McKinney reviewed the agenda and noted a few changes.

Department Reports

A report was provided by the Economic Development Director for August 2011. Clerk McKinney read the report for Council and the Public. The report is on file with the Clerk of Council.

Public Recognition on Agenda Items

Representative Denise Driehaus of the 31st House District of Ohio addressed Council with updates from the State Level. She updated Council and the Public of what she has experienced in Columbus. She stated that the State is now addressing the issue of Internet Sweepstakes Cafes. A bill was introduced on April 12, 2011. It is in the hearing process in the State and Government Committee. She is looking for any feedback from Cheviot Council as well since Cheviot has already passed legislation concerning the Cafes. It is proposed for the Ohio Casino Commission to Regulate. Mayor Keller explained our Ordinance to Representative Driehaus. He stated there may be an issue in the bill using the word merchandise.

Ms. Driehaus also discussed legislation concerning Scrap Metal Regulations. The State is working with Scrap Yard Owners concerning regulating. Many people are stealing items from houses and cars to cash in at scrap yards. Representative Peter Stautberg is a joint sponsor of the bill. Representative Driehaus has a tour of a scrap yard scheduled in a few weeks. Mayor Keller discussed a few regulations talked about by Ms. Driehaus like submitting a photo ID, pictures of the items traded in as well as issuing checks and not cash. The Mayor stated that the City collects a number of shopping carts littered throughout the City and then cash them in at a local scrap yard. There was further discussion on this issue.

Reports of Standing Committees

Second and Third Readings of Ordinances

Introduction of Ordinances and Resolutions

Mr. Sunderhaus made a motion to introduce an Ordinance *To Allow the City of Cheviot to Grant an Easement to Excell Cheviot LLC Regarding the Right of Way on Everett Avenue*. Mr. Sunderhaus made a motion to introduce, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote. The Ordinance was assigned number ORD 11-29. This constitutes a first reading of Ordinance 11-29.

Mr. Waters has the Ordinance drafted but it still needs to be finalized before passage. There are questions as to a \$5,000 charge or just to pay all the costs and what if the property becomes vacant. Mayor Keller suggested that it only pertain to the existing business. President McKinney noted that with that regulation, the Bank may not be in favor of the easement worded that way.

Mayor Keller also noted that part of the agreement in the City approving a CRA for Family Dollar included an agreement that carts would be attached to poles to prevent them from traveling off of the property. From an administrative end, that can't be dealt with until next year when the CRA could possibly be revoked for failure to comply with the agreement.

President McKinney suggested another committee meeting needs to be held to discuss further.

Mayor's Report

Mayor Keller stated that the City has been working extremely hard with the Drama Workshop and Cheviot Savings Bank concerning The Glenmore Bowl property and also additional items. A solution to the whole agreement is near. Mayor Keller acknowledged all of Mr. Tom Braun's hard work with the Street Scape Project, Cheviot Savings Bank expansion and Glenmore Restoration.

In reference to the issue of chairs on Harrison Avenue for the Harvest Home Parade, there are major concerns with people putting them out too early. A few years ago an injury occurred to a delivery driver by tripping over one of the chairs. It is suggested that regulations be put in place as to how early the chairs can be placed prior to the parade. The issue should go into the Streets, Sidewalks and Lights Committee. Mr. McGowan stated there might already be an ordinance or resolution concerning this issue from a few years ago. Clerk McKinney will look for it.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Tom Braun stated that the Glenmore Reconstruction is underway. Most of the sewer and curb work is done. The project is slated to be finished November 18, 2011, weather permitting. The City is working with Cheviot Savings Bank concerning the decorative sidewalk bricks in front of all of their property. Other Street Scape items are being worked on for the middle of next year with Cheviot Savings Bank.

The City is in negotiations for Electric Pricing for all of the City's buildings. The pricing looks more favorable than the previous year. Mr. Braun has a follow-up meeting on Friday and will advise Council of further developments.

All Citizens who are part of the Dominion Electric Aggregation Program in Cheviot should have received a check for \$3.99 or \$7.98, for an overcharge.

Mr. Braun asked that Representative Driehaus look into the Electric Rates, specifically generation charges. Duke is asking PUCO if they can charge these even if they are not the electric provider. If this happens, it will basically make the electric aggregation program pointless. Ms. Driehaus stated she could get more information and talk to PUCO.

Council is directed to meet at 5:15pm in the same area for line up for the Harvest Home Parade. A reminder of the Fair this weekend was noted; Please hope for good weather.

There were no further questions for the Safety-Service Director.

Law Director's Report

Mr. Waters informed Council that the law suit against the City by the Monfort Supply Company/Rack is set for a hearing concerning the Temporary Restraining Order on September 22, 2011 before Judge Leubbers. A Motion to Dismiss will also be discussed in the hearing.

There were no further questions for the Law Director.

Public Recognition on Other Issues

No one from the Public chose to address Council on any City issues or items.

Other Business

Mr. Dinkelacker called a meeting of the External Affairs Committee for discussion concerning the expansion of Cheviot Savings Bank and possibly selling City Property (part of the parking lot area). The meeting shall be held September 14, 2011 at 6:30pm.

Mr. Sunderhaus called a meeting of the Police and Fire Committee to address the concerns of citizens regarding increased crime and police reaction. The meeting shall be held September 14, 2011 at 7:00pm.

Ms. McKinney called a meeting of the Streets, Sidewalks and Lights Committee for discussion of the Excell easement of the right of way and chairs on the parade route. The meeting shall be held September 14, 2011 at 7:45pm.

Treasurer's Receipts

Mayor's Court Receipts

Council received a copy of they Mayor's Court Receipts for August 2011. Ms. Zech made a motion to receive and file, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote.

Correspondence

- 2 Property Maintenance Reports
- Best Practices Newsletter from the State Auditor - Summer Issue
- Email concerning setting up of parade chairs
- Resignation of Clerk McKinney

There was a motion to adjourn the meeting by Mr. McGowan, seconded by Ms. Zech. The motion passed with a 6-0 voice vote. The meeting adjourned at 8:21pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council