

Minutes of City Council Meeting, Cheviot, Ohio

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March 16, 2010

The regular session of Council was called to order at 7:32P.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	Steve O. Neal
Council 1 st Ward	Ryan Zech
Council 2 nd Ward	Matthew D McGowan
Council 3 rd Ward	Jim Sunderhaus
Council 4 th Ward	Bill Clark
Council at Large	Kathleen S. Zech
Council at Large	Dennis Dinkelacker
Council at Large	Steve Braun

President McKinney announced there will be reports from the Finance Committee and the Public Works and Utilities Committee. President McKinney stated there were five pieces of legislation, an ordinance to amend the annual appropriations, an ordinance regarding the residency requirements for the Safety-Service Director, an ordinance to formally adopt the Streetscape plan, the final reading of the Daytime Curfew Ordinance and the adoption of the 2010 yearly appropriations. A motion to approve and file the minutes for March 2, 2010 was made by Ms. Zech, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote.

Public Recognition on Agenda Items

No members of the Public were recognized to address any of the agenda items.

Reports of Standing Committees

Mr. McGowan read a report of the Finance Committee into the record. A motion to receive and file was made by Mr. McGowan, seconded by Mr. Clark. The motion passed with a 7-0 voice vote. Mr. McGowan thanked all of those involved in making the budget process as smooth as possible, especially Mr. Sunderhaus and Mr. Neal.

Clerk McKinney read a report of the Public Works and Utilities Committee into the record. The meeting was held on March 9, 2010. A motion to receive and file was made by Mr. Sunderhaus, seconded by Mr. McGowan. The motion passed with a 7-0 voice vote.

Second and Third Readings of Ordinances

Ms. Zech announced the final reading of Ordinance 10-06 *To Enact Section 93.05 of the Cheviot Code of Ordinances; and Amend Section 93.99(A) and (B) of the Cheviot Code of Ordinances*. Ms. Zech stated that this is the final draft and is now ready for passage. Additional wording regarding children who are homeschooled was added. Ms. Zech made a motion to adopt, seconded by Mr. Dinkelacker. A roll call vote was taken and the motion passed with a 7-0 vote. Ordinance 10-06 was adopted.

Mr. Zech read ordinance 10-08 *To Adopt the Cheviot Business District 2009 Final Master Plan for Streetscape & Cemetery Improvements*. This is the final draft of the ordinance and is ready for passage. Mr. Zech made a motion to suspend the rules, seconded by Ms. Zech. A roll call vote was taken and the motion passed with a 7-0 vote. A motion to adopt was made by Mr. Dinkelacker, seconded by Mr. Clark. A roll call vote was taken and the motion passed with a 7-0 vote. Ordinance 10-08 was adopted.

Mr. Zech read by title ordinance 10-09, *To Waive the Residence Requirements of Sections 735.01 and 737.01 of the Ohio Revised Code and Section 35.61 of the Cheviot Code of Ordinances*. The current statute states the requirement of the Safety Service Director to live within the city limits by the sixth month of his/her appointment. To allow the City to search for the best candidate, Council has decided to waive that requirement. This constitutes a second reading. The ordinance shall be corrected by the final reading to reflect Mr. Zech as the councilmember introducing the ordinance.

Introduction of Ordinances and Resolutions

Mr. McGowan made a motion to introduce an ordinance *To Amend the 2010 Annual Budget Appropriations; and to Declare an Emergency*. Mr. McGowan made a motion to introduce, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote. The ordinance was assigned ordinance number 10-11. A motion to suspend the rules was made by Ms. Zech, seconded by Mr. McGowan. A roll call vote was taken and the motion passed with a 7-0 vote. A motion to adopt was made by Mr. McGowan, seconded by Mr. Dinkelacker. A roll call vote was taken and the motion passed with a 7-0 vote. Ordinance 10-11 is hereby adopted.

Mr. McGowan made a motion to introduce an ordinance *To Make Appropriations for Current Expenses and Other Expenditures for the City of Cheviot, State of Ohio, during the year of 2010 ending 12/31/10; and Declaring an Emergency*. Mr. McGowan made a motion to introduce, seconded by Ms. Zech. The motion passed with a 7-0 voice vote. The ordinance was assigned ordinance number 10-12. A motion to suspend the rules was made by Mr. Sunderhaus, seconded by Mr. McGowan. A roll call vote was taken and the motion passed with a 7-0 vote. Mr. McGowan again thanked all those involved with making this budget a smooth transition as his first year as Finance Chair. A motion to adopt was made by Mr. McGowan, seconded by Mr. Dinkelacker. A roll call vote was taken and the motion passed with a 7-0 vote. Ordinance 10-12 is hereby adopted.

Clerk McKinney momentarily excused herself to make copies of the Annual Appropriations for all of Council to sign.

Mayor's Report

Mayor Keller informed Council that BackStreet Studios has been working with the City regarding a zoning change. Part of the property is their residence and they are trying to obtain a residential loan and not a commercial loan.

Mr. Westrich has been concerned with the removal of the light at the intersection of Lovell and Harrison and how it will affect the loading and unloading in front of his business. A 15 minute loading/unloading zone has been installed on Lovell Avenue and there are no line of sight issues. A 15 minute parking meter has been ordered to be placed on Harrison Avenue. A few more meters will be investigated as well.

Family Dollar has submitted some plans to the city. The Mayor and Economic Developer have been working with Family Dollar to improve the overall aesthetics of the design. Some windows may be added to the Harrison Avenue side as well as some landscaping.

Mayor Keller acknowledged all the hard work of Mr. Neal. This is his last Council Meeting and Mr. Neal has poured his heart and soul into the City. Mayor Keller would like Mr. Neal to continue in running the pool.

The retirement party for Mr. Steve Neal will be held on Wednesday March 31, 2010 at the Harvest Home Lodge.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Neal briefly stated that bids for Applegate will be going out shortly. He also spoke briefly about the electric aggregation project.

Mr. Neal informed Council and the public that the signal is now gone from the intersection of Lovell and Harrison. The police ran radar on 24 vehicles recently, all traveling at an average of 29mph. As of today, speeding does not seem to be much of a problem.

Mr. Neal thanked CWCA and Kiwanis for donating \$7500 to help with operation of the pool for the 2010 summer.

Mr. Neal also thanked Cheviot Savings for their help in the \$1 home program and their interest free loan to the City to get that program started. Mr. Neal announced that the First Time Homebuyers Meeting will be Wednesday May 24, 2010 at 7:00pm at the Cheviot Fieldhouse.

In Closing, Mr. Neal thanked everyone who was a part of the past 26 years of his service to the City of Cheviot. Mr. Neal loves this City greatly and will miss everyone dearly. No real plans are made for Mr. Neal's retirement but Mr. Neal will be available to help Mr. Tom Braun as he transitions into the role of new Safety-Service Director.

Many thanks were made to Mr. Neal for his years of service. Comments were made by Ms. Zech, Mr. Zech, Mr. McGowan, Mayor Keller and Mr. Dinkelacker.

There were no final questions for the Safety-Service Director, Mr. Steve O Neal.

Law Director's Report

Mr. Waters updated Council on the Smith v Cheviot lawsuit. A Pre-Trial was held on March 9, 2010 with Judge Dewine. Our insurance company will be handling the proceedings. Mr. Neal has supplied them with all records and documents regarding the incident. Mr. Waters feels that the city should retain immunity according to the research he has done.

There were no questions for Mr. Waters.

Public Recognition on Other Issues

No members of the Public were recognized to address Council on any other items.

Other Business

Mayor Keller reminded the wage negotiation committee of a brief meeting after tonight's meeting.

Mayor's Court and Treasurer's Receipts

There were no receipts submitted for approval.

Correspondence

- 2 Property Maintenance Reports
- Streetvibes
- Invitation for Mr. Neal's Retirement Party 3/31
- Renewal notice for all liquor licenses in the City of Cheviot

Mr. Waters stated that anyone who knows of any objects to the renewal of a liquor license should contact him. Mr. Waters also requested Clerk McKinney leave a copy of the notice for Chief Voss to review.

Mr. Clark stated that with his trip to the Ohio Municipal League Conference, he appreciates our City's Council so much more. He stated that many cities in attendance were quite dysfunctional.

There was a motion to adjourn the meeting by Mr. Clark, seconded by Mr. McGowan. The motion passed with a 7-0 voice vote. The meeting adjourned at 8:09pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council