

Minutes of City Council Meeting Cheviot, Ohio

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March 15, 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 3 rd Ward	James Sunderhaus
Council 4 th Ward	Bill Clark
Council at Large	Kathleen Zech
Council at Large	Dennis Dinkelacker
Council at Large	Steven Braun

President McKinney stated Mr. McGowan had a family commitment and would not be attending the meeting. A motion to excuse Mr. McGowan was made by Mr. Dinkelacker, seconded by Mr. Zech. The motion passed with a 6-0 voice vote. President McKinney stated in addition to a report from the Police and Fire Committee, Council had legislation regarding the 2011 Budget and a Resolution to Advance Property Taxes to consider. A motion to approve and file the minutes for March 1, 2011 was made by Ms. Zech, seconded by Mr. Dinkelacker. The motion passed with a 6-0 voice vote.

Public Recognition on Agenda Items

No one from the Public chose to address Council on any agenda items.

Reports of Standing Committees

Mr. Sunderhaus read a report of the Police and Fire Committee Meeting held February 22, 2011. Mr. Sunderhaus made a motion to receive and file, seconded by Mr. Braun. The motion passed with a 6-0 voice vote.

Introduction of Ordinances and Resolutions

Mr. Sunderhaus 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 Ending December 31, 2011; and Declaring an Emergency*. Mr. Sunderhaus stated that many hours were spent to get this completed, and thanked all those involved. He also stated that the City is projected to come in a little under from our projected resources. Mr. Sunderhaus made a motion to introduce, seconded by Mr. Clark. The motion passed with a 6-0 voice vote. The ordinance was assigned number ORD 11-03. Mr. Clark made a motion to suspend the rules, seconded by Ms. Zech. A roll call vote was taken and the motion passed with a 6-0 vote. Mr. Sunderhaus made a motion to adopt, seconded by Mr. Zech. A roll call vote was taken and the motion passed with a 6-0 vote. Ordinance 11-03 is hereby adopted.

Mr. Sunderhaus made a motion to introduce a Resolution *To Request that the Hamilton County Auditor Make Advance Payment of Taxes to the City of Cheviot Pursuant to Section 321.34 of the Ohio Revised Code; and to Declare an Emergency*. Mr. Sunderhaus explained the resolution is routine each year during the 1st quarter to carry the city's finances. Mr. Sunderhaus made a motion to introduce, seconded by Mr. Dinkelacker. The resolution was assigned number RES 11-03. The motion passed with a 6-0 voice vote. Resolution 11-03 is hereby adopted.

Mayor's Report

Mayor Keller and Mr. Braun met a few weeks ago to address the questions provided by the Laws, Rules and Ordinances committee on the proposed rental inspection ordinance. Mr. Keller stated that they have answered most of the questions and the administration is ready to move forward when the committee would like. Ms. Zech stated that the proposed ordinance is currently with the Law Director. Mayor Keller asked if a further meeting with the administration was needed? Ms. Zech further explained that a Public Hearing will be held once the formal draft is received.

Mayor Keller also informed Council that he will be meeting with Dale Rack Wednesday night along with Mr. Tom Braun, Mr. Waters and Mr. Babey, regarding the Bruestle sub-division. The purpose of the meeting is to find out what stage Mr. Rack is at and what items on the City's demand list still needs to be completed. One of the items discussed will be the bonding of the road way and the storm sewer right-a-way. MSD has announced a new project concerning the sewer system. Mr. Steve Braun asked the time of the meeting in which Mayor Keller responded 5:00pm.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Tom Braun stated that the slab in the Fire Department has been completed. The company was able to raise the slab, all the door frames have been fixed, the whole department has been painted, a new floor installed and the ceiling was fixed as well. A total for the project has not been submitted.

Mr. Braun informed Council that the County has stated the City will receive \$143,000 for the Glenmore Avenue Project, from the MRF fund. The City applied for over \$148,000 but did not receive the full amount. The city will request the county reinstate the full amount. Mr. Braun believes there was a mixup with the paperwork and needs the additional funds to go toward another street.

The CRA for the Family Dollar has been passed by Council and they have started construction on the footings. As soon as it's posted to the Ohio Department of Development website, they will begin construction on the actual building; this should happen by next week.

Mr. Braun explained that there is a water problem at the front and north-side of the Fieldhouse. Water is coming in the wall or the roof. Mr. McGowan has been informed about the need for additional funds needed to fix the problem. Mr. McGowan advised Mr. Braun to bring a number to the committee once the actual location of the problem is found.

The Farmer's Market is back at Harvest Home Park. They will be there every Friday from 3-7pm.

Mayor Keller noted that he attended the grand opening of L Ray Studio at 3311 Harrison Avenue. Mayor Keller wishes his the best with his business.

There were no questions for the Safety-Service Director.

Law Director's Report

Mr. Waters reported that even though the L. Smith case has been settled, because the plaintiff in the case is a minor, probate court needs to approve the settlement. Mr. Waters stated that the court may reject the settlement but is not yet certain of the status.

Mr. McGowan contacted Mr. Waters about the possibility of unrestricting the parking lot fund. After further research, Mr. Waters does not believe that is possible. It is too late to transfer out any of the previous money that has been directed to that fund but future revenues can go to an unrestricted fund such as the General Fund. Mr. Waters will do further research to make sure nothing has been missed. Mr. Waters questioned the balance of the account. Mr. Tom Braun stated the account currently has \$111,413.

Mr. Waters asked if Council would like to do a first reading this evening on the Squad Fees proposed by Mr. Sunderhaus' Police and Fire Committee. Mr. Sunderhaus stated he would like to proceed with the first reading. Mr. Waters will have the formal ordinance ready for the second reading at the next regular meeting.

Mr. Sunderhaus made a motion to introduce an ordinance *To Enact a Fee for the Services of the Fire Department*. Mr. Sunderhaus made a motion to introduce, seconded by Mr. Clark. The ordinance was assigned number ORD 11-04. Mr. Clark pointed out that Cheviot residents will NOT be charged the fee. The motion passed with a 6-0 voice vote. This constitutes a first reading of ORD 11-04.

There were no further questions for the Law Director.

Public Recognition on Other Issues

Irene Viltrakis of the Cheviot Eagles addressed Council to promote a bike run that is being held to benefit the Honor Flight. Mayor Keller is co-chairing the event. The run will stop by four different Eagles locations and end in Cheviot with a dinner, party, dancing and raffles. The ride will be approximately 85-100 miles. The event will be held June 18, 2011 and is \$15.00 per person or \$25.00 per couple. Registration starts at 10:00am at the Cheviot Eagles on Glenmore Avenue. Donations are more than welcome!

Other Business

Mr. Clark called a Streets, Sidewalks and Lights Committee Meeting for Tuesday, March 22, 2011 at 6:30pm to discuss the Kenkel Avenue request. Mr. Clark requested that Mr. Waters attend or provide the information from the attorney that consulted on the matter. Mr. Waters stated he will provide Mr. Clark with the information.

Mayor Keller spoke to Keith Miller, the Pastor of the Church in Cincinnati who would like to again sponsor a volunteer day like in previous years. The Pastor estimates 15-20 people to help clean up the city and do whatever needs to be done. The suggestion is to help out some elderly people. If anyone knows of anyone in the City that needs some assistance with outside work. Mr. Tom Braun is coordinating the event which should occur toward the end of April. Mayor Keller stated anyone that may need assistance either elderly or handicapped, please contact the Safety-Service Director.

Mayor's Court Receipts

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

Correspondence

- Magistrate Court Dates
- Liquor License notice of all renewals
- 3 Property Maintenance Reports

Mayor Keller also informed Council that letters have been sent by the City to Mr. Garibey and Mr. Perkins regarding the liquor TRES each has requested. Each transfer takes approximately 2-3 months. Mr. Perkins informed the City he is changing his building from an A-3 to an A-2.

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. Clark. The motion passed with a 6-0 voice vote. The meeting adjourned at 8:01pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council