

Minutes of City Council Meeting Cheviot, Ohio

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October 18, 2011

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	Tom Braun
Council 1 st Ward	Ryan Zech
Council 2 nd Ward	Matt McGowan
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	Steve Braun

President McKinney reviewed the agenda and noted a few changes.

Department Reports

Chief Robert Klein read a September 2011 report from the Fire Department.

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

Clerk McKinney summarized the report filed by Chief Voss of incidents within the City from the middle of August through the middle of September 2011. The report is on file with the Clerk of Council.

Public Recognition on Agenda Items

Maria Bonavita, Principal of Cheviot Elementary addressed Council, along with Kathy Goedl, on current school news and how the City can get involved. She provided Council with the school's current report card. The school has shown continuous improvement. The school is now at approximately 600 students and the special education population has grown to almost 20%. In addition, the school has approximately 83-86% poverty level for reduced breakfast and/or lunch. Ms. Bonavita has sent requests for grants to CWCA for technology assistance and also Elks. The school is losing services to the mental health. She is looking to work with the City and Administration to help keep some of those services. Principal Bonavita also requested that Council reinstate a Committee that once was heavily involved in the school so they can be aware of what is actual going on in the building and stay involved with the school. Tutors are needed during school day hours. Ms. Bonavita also asked for support in endorsing the CPS levy, Issue 32. She would also like support for the school's recycle bowl for the next 4 weeks. It helps provide additional funds to the school and they placed 3rd last year in the City of Cincinnati for their efforts. There was much discussion. President McKinney suggested that the External Affairs Committee discuss having a representative involved in the Cheviot School.

Adam Luthman from Give Back Cincinnati addressed Council concerning an event called Paint the Town. The event is totally free to residents who apply and meet certain guidelines, to have their houses painted for free. Give Back Cincinnati is considering Cheviot for the 2012 Event. All the painting occurs in one day. This will be the 11th year for the event. Corporate Sponsors cover the expenses of the activities. City help and participation is needed as well. President McKinney will work with Mr. Tom Braun on the project and bringing the event to Cheviot.

Reports of Standing Committees

President McKinney read a report of the Committee of the Whole Meeting held October 11, 2011. Mr. McGowan made a motion to receive and file, seconded by Mr. Zech. The motion passed with a 7-0 voice vote.

President McKinney thanked Clerk McKinney for her service.

A nomination for Ms. Jenny Eilermann as the City's new Clerk of Council was made by Ms. Zech, seconded by Mr. McGowan. A roll call vote was taken and passed with a 7-0 voice vote. Ms.

Eilermann will begin her position effective November 1, 2011.

Mr. McGowan and Ms. Zech joined in thanking Clerk McKinney.

Second and Third Readings of Ordinances

Introduction of Ordinances and Resolutions

Mr. McGowan made a motion *To Accept the Amounts and Rates as Determined by the Budget Commission; To Authorize the Necessary Tax Levies; To Certify Them to the County Auditor; and to Declare an Emergency.* The motion to introduce was made by Mr. McGowan, seconded by Mr. Sunderhaus. The resolution was assigned RES 11-11. There was no discussion. A roll call vote was taken and the motion passed with a 7-0 voice vote. Resolution 11-11 is hereby adopted.

Mr. Sunderhaus made a motion *To Approve a Mutual Aid Agreement for Law Enforcement in Hamilton County, Ohio; To Authorize the Police Chief to Sign the Agreement; and to Declare an Emergency.* Mr. Sunderhaus explained this is a standard agreement signed yearly to help our neighboring townships and cities and for them to help us with additional Police protection when needed. A motion to introduce was made by Mr. Sunderhaus, seconded by Mr. Dinkelacker. The resolution was assigned RES 11-12. There was no discussion. A roll call vote was taken and the motion passed with a 7-0 voice vote. Resolution 11-12 is hereby adopted.

Mayor's Report

Mayor Keller added in thanking Clerk McKinney on behalf of the City of Cheviot, it's Citizens and Administration. She will certainly be missed.

Mayor Keller informed Council that a Certificate of Occupancy has been issued to an Internet Sweepstakes Café and should open soon at the corner of Harrison and Nolan. A permit has been requested to add an additional bathroom to the space which would allow increased occupancy.

Correspondence from the Southwest Ohio Transit Authority Association (SWOTAA) was received, which might need to go into the Finance Committee. Since the request was untimely, Mayor Keller did not address it. President McKinney referred it to Mr. McGowan.

A Renewal of Tax Levies 41 and 42, will be on the November ballot and **will not** increase taxes. He explained each levy and how important they are to the City of Cheviot.

Swearing in of the new Police Chief Joseph Lally on November 26, 2011 at 10:30am, as well as New Sergeants for the Police Department, Jeff Patton and Richard Fenster. Two current part-time patrolmen will be sworn in as full-time officers. There might also be one new part-time positions sworn in that day.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Tom Braun informed Council of the City's savings due to Electric Aggregation. From April through September 2011, the residents have saved \$278,959 and the non-residential business have saved \$90,325 through Dominion Electric Aggregation.

Mr. Tom Braun provided an update for the Glenmore Reconstruction. Some of the work was delayed due to rain. Hopefully everything will be paved by the end of the next week.

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 continued to December 5, 2011 before Judge Leubbers. The hearing began on October 17, 2011 and only got through one witness. The City's raised certain defenses.

A formal closing with Family Dollar was attended by Mayor Keller and Mr. Waters last Thursday. The City received \$10,000 for the sale of the easement rights.

There were no further questions for the Law Director.

Auditor and Assistant Auditor's Report

Auditor Theresa Ciolino-Klein introduced Assistant Auditor Patty Henry to discuss the citation issued by the State Auditor's office regarding illegal fund transfers from the 2008 City funds. Ms. Henry addressed Council on how the City will handle the citation; the money needs to be moved back. Ms. Klein initially noted that the transfers occurred prior to her taking office. The City Hall Special Assessment and Parking Lot funds can't be used at all for other expenses within the City's budget. Once the money is moved back, the City can reapply to have the City Hall funds moved again, but the funds from the parking lot fund cannot be transferred back into the General Fund at all. Mr. McGowan asked the time frame in which this needs to happen. Ms. Henry said she will follow up with the State Auditor tomorrow to advise them of how the City plans to resolve the situation. There are no fines for the citation. President McKinney cleared up confusion as to what year the funds were moved. Ms. Klein stated that the Audit findings and citation were from the 2008 fiscal year. She further stated that since this action was also performed in 2005, an assumption was made that it could be done again. There was much discussion. Mayor Keller asked that the Administration work with the Finance Committee on what money is allotted to which funds. Mayor Keller further clarified that the City will stop feeding those two funds, specifically the parking lot fund.

Public Recognition on Other Issues

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

Other Business

Mr. McGowan called a meeting of the Finance Committee for discussion on the Quarterly Reports received from the Auditor in addition to the SWOTAA issue and realigning distributing funds to certain line items. The meeting shall be held October 25, 2011 at 7:00pm.

Mr. Clark stated that he has followed up with Family Dollar. The bumpers have been pinned down, poles added to the carts and trash is being picked up.

Treasurer's Receipts

Mayor's Court Receipts

Correspondence

- Correspondence from Give Back Cincinnati/Paint the Town
- Pay As You Throw Workshop

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. Clark. The motion passed with a 7-0 voice vote. The meeting adjourned at 8:40pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council