

## **MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO**

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February 15, 2005

The regular session of Council was called to order at 7:30 P.M. with the Pledge of Allegiance and a moment of prayer. Roll call was taken and the following were found in attendance:

Mayor	Samuel D. Keller
President of Council	James E. Morganroth
Law Director	Mark G. Waters
Safety Service Director	Steven O. Neal
Council 1 <sup>st</sup> Ward	Michael J. Murray
Council 2 <sup>nd</sup> Ward	Dennis T. Dinkelacker
Council 3 <sup>rd</sup> Ward	James F. Sunderhaus
Council 4 <sup>th</sup> Ward	Debra A. Gooch
Council at Large	Charles L. Norman
Council at Large	Michael J. Mestemaker

Mrs. Zech was out of town. Mr. Norman made a motion to excuse Mrs. Zech. Mr. Mestemaker made the second. The motion passed 6-0 by voice vote. The minutes of February 1, 2005 were approved after the Clerk of Council pointed out a couple of errors; the minutes will be corrected by the next meeting. President Morganroth called for the reports that would be presented.

### **Recognition of the Public**

County Commissioner Todd Portune attended the meeting to address Cheviot Council. He took a moment to congratulate the City on passing its Levy. He addressed that he understands that outside sources such as the County and State want to spend Cheviot's money on our behalf without our control. He came to explain why the County is not going to pay for the Civil Warning Siren located in Cheviot. He explained that he had spoken with the acting County Administrator and she had agreed to pay the \$3,300 that it would take to hook the siren back up at Cheviot School. That had occurred on Friday, February 11, 2005. She made her spending report to all the members of the County Commissioners on Sunday, February 13, 2005. County Commissioner Phil Heimlich asked her to wait on the expenditure until the County Commissioner could meet and discuss this matter. County Commissioner Pat Dewine would not support the expenditure because he thinks that the County finances are too tight to afford this. He also stated that the current County policy (not law, just policy) does not cover the cost of sirens. Mr. Portune explained that he was out voted and that the County will not pay for the siren. He explained that this issue will affect all 49 jurisdictions which have these Civil Warning Sirens. Mr. Portune explained the history of the sirens, how they are maintained, and that at one time federal and state money was available for sirens. Mr. Portune explained that the County Budget hasn't been finalized and that he will try to add sirens to this year's budget. There was much other discussion about this issue. Mayor Keller explained his and the City's position and added that the City already pays too much in Communication Center Fees. There was much discussion. Mr. Portune went in to further detail about the history of the Civil Warning System and what areas it covers. There was much more discussion.

Richard Stepaniak of 3918 Washington Avenue addressed Council to say that the City can not pass any laws which allows City money to be used as credit. There was other discussion.

Don Farwick of 5518 Seville Court in Green Township addressed Council to ask about the fee that will be imposed this year. He requested a copy of the Ordinance which Council had not passed at this time. He asked if it was required that the City collect the trash. Mrs. Gooch explained that the Ordinance had not been passed yet and that it will not take effect tonight. She explained that the only definitive information is that the fee will be assessed from February 1, 2005 until December 31, 2005. She explained that these items will be discussed at future Finance Committee meetings. At this point, policy was ignored and Mrs. Gooch read the Finance Committee report. There was much discussion afterward.

**Mayor's Report**

Mayor Keller took a moment to thank the residents of Cheviot for passing the Levy on February 8, 2005. He stated that the City took this as a mandate sent from the residents that they wanted to keep the City Services intact. He reported that the levy passed by 84%. Mayor Keller thanked Ryan Zech and Mike Murray for their work with the Citizens for Cheviot P.A.C. He thanked the Cheviot-Westwood Community Association. Mayor Keller also thanked the members of Council and City employees that helped on the campaign. He stated that a lot of people put in a lot of hard work and effort in to getting the Levy to pass. He reminded the public that it has been 25 years since the last tax increase, and that this levy will affect all, including the Mayor and members of City Council. Council Clerk Zech also took a moment to thank 5/3 Bank for their significant donation to the P.A.C.

**Law Director's Report**

Mr. Waters had no formal report. Mr. Norman asked if there had been any decision on the two liquor license hearings. Mr. Waters reported that he has not heard anything.

**Committee Reports**

Ward 1 - Mr. Murray had no formal report. He called a meeting of the Parks and Playgrounds Committee to discuss the rates for the Pool and Field rental on February 22, 2005 at 6:00 P.M. at Cheviot City Hall. He mentioned that he read that the State of Ohio plans to cut local government funds by 20% in 2006 and eliminate them by 2007. This comes after the State announced that the local government funds are frozen in 2005. He reported that Cheviot usually receives about \$35,000 to \$40,000 per year. The State is also looking at cutting another 15% out of inheritance taxes.

**Mayor's Report Continued**

Mayor Keller continued his report to explain that Cheviot is looking to build a new shelter at the Cheviot Memorial Field House. He reported that the Kiwanis were approached and agreed to give \$25,000 toward the construction of a new picnic shelter. Mayor Keller explained that this project will cost the residents of Cheviot zero dollars because no tax money will be used. Mr. Mestemaker asked if this could be a revenue generator. Mayor Keller said that it could and should be. Mr. Norman asked when construction should begin. Mayor Keller said as soon as possible. Mrs. Gooch asked where this will be located. Mayor Keller explained in the grassy space between the ball field seating, the field house building, and the parking lot.

**Committee Reports Continued**

Ward 2 - Mr. Dinkelacker had no formal report. He stated that at the last meeting he reported that Water in Basement repair costs were \$75,000, but that that figure should have been \$7,500.

Ward 3 - Mr. Sunderhaus had no formal report. He thanked all the residents for their support of the Levy. He reported that he would cover the Fire Department report at the next meeting.

Ward 4 - Mrs. Gooch had read a report of the Finance Committee into the record during Recognition of the Public. Mr. Sunderhaus made a motion to receive and file the report with a second from Mr. Murray. The motion passed 6-0 by voice vote. Mrs. Gooch called a meeting of the Finance Committee for Tuesday, February 22, 2005 around 7:00 P.M. at Cheviot City Hall to discuss the Waste Collection Fee and to review the budget. Mrs. Gooch made a motion to introduce *The Temporary Waste Collection Fee Ordinance* with a second from Mr. Dinkelacker. The motion passed 6-0 by voice vote and was assigned as ORD05-06. This concluded the first reading of ORD05-06. Mrs. Gooch made a motion *To Transfer Funds; And To Declare An Emergency* with a second from Mr. Murray. The motion carried 6-0 by voice vote and was assigned as RES05-03. Mrs. Gooch made a motion *To Establish A New Fund In The City's 2005 Annual Budget; And To Declare An Emergency* with a second from Mr. Mestemaker. The motion carried 6-0 by voice vote and was assigned as ORD05-07. This concluded the first reading of ORD05-07. Mrs. Gooch made a motion *To Approve The Provision Of Accounting Services To The City Of Cheviot*

*By The Local Government Services Section Of The State Auditor's Office; To Increase The 2005 Annual Budget Appropriations To Fund The Accounting Services; And To Declare An Emergency.* Mr. Murray made the second. The motion passed 6-0 by voice vote and was assigned ORD05-08. Mr. Sunderhaus made a motion to suppress with a second from Mr. Dinkelacker. The motion passed 6-0 by roll call vote. Mr. Dinkelacker made a motion to adopt with a second from Mrs. Gooch. The motion carried 6-0 by roll call vote. Mr. Norman asked why ORD05-08 had not been in the mailboxes before tonight. The Law Director replied that it was due before the next Council meeting which is why it wasn't put into committee. There was much discussion about this item. Mrs. Gooch thanked Mr. Neal and Police Chief Voss for submitting their budgets early.

Council at Large – Mr. Mestemaker had no report. He called for a meeting of the Public Works Committee on Tuesday, February 22, 2005 at 6:30 P.M. There was much discussion following.

Council at Large - Mrs. Zech did not forward a report.

Council at Large - Mr. Norman had no formal report. He stated that he appreciated Mr. Portune's efforts and that he has already contacted Congressman Steve Chabot about this issue.

### **Safety-Service Director's Report**

Mr. Neal had no formal report.

### **Further Business**

Mr. Sunderhaus made a motion to receive and file the Mayor's Court Receipts for January 2005 with a second from Mr. Murray. The motion carried 6-0 by voice vote. Mr. Mestemaker made a motion to receive and file the December 2004 Treasurer's Report with a second from Mr. Dinkelacker. The motion passed 6-0 by voice vote.

### **Correspondence**

Two Ohio Municipal League bulletins were delivered along with a copy of the Fire Department report.

There was a motion to adjourn the meeting by Mr. Norman with a second from Mr. Sunderhaus. The motion passed 6-0 by voice vote. The meeting adjourned at 8:58 P.M.

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Ryan T. Zech  
Clerk of Council

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James E. Morganroth  
President of Council