

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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June 2, 2009

The regular session of Council was called to order at 7:32 P.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 Neal
Council 1 st Ward	Ryan A. Zech
Council 2 nd Ward	Matthew D. McGowan
Council 3 rd Ward	James F. Sunderhaus
Council at Large	Kathleen S. Zech
Council at Large	Dennis T. Dinkelacker
Council at Large	Steve L. Braun

President McKinney informed Council Mr. Stautberg was to be absent from the meeting due to family medical issues. A motion to excuse Mr. Stautberg was made by Mr. McGowan, seconded by Mr. Zech. The motion was passed with a 6-0 voice vote. President McKinney stated there is one piece of legislation, a resolution regarding salt bids. A motion to approve and file the minutes for May 19, 2009 was made by Ms. Zech, seconded by Mr. McGowan. The motion passed with a 6-0 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

There were no reports of any standing committees.

Introduction of Ordinances and Resolutions

Mr. McGowan made a motion to introduce by Title a resolution *To Authorize the Safety-Service Director to Solicit Bids for Ice Control Road Salt for the 2009-2010 Winter Season; and to Declare an Emergency.*

A motion to introduce was made by Mr. McGowan and seconded by Ms. Zech.

The Mayor explained that Hamilton County is getting road salt for \$65-69 a ton, about half of what the City of Cheviot paid last year. The City is hoping to take advantage of that price by bidding early. We are under contract right now, but the Safety-Service Director is looking into it. It might be an opportunity to save some money.

There was no further discussion on the resolution.

The motion passed with a 6-0 voice vote. The resolution was assigned resolution number 09-07. The resolution was adopted.

Mayor's Report

Mayor Keller asked Council for an executive session this evening, to go over Wage Negotiation items. The Mayor is pleased to inform council there is a contract regarding maintenance to be reviewed. Details will be explained to council in executive session, and then Council will be asked at the next regular council meeting to vote on that contract and ratify it on the City's behalf. Mr. Waters will draw up the ordinance. The Mayor will also inform Council on the progress of the other two unions.

The Mayor informed the public that Mr. Stautberg is experiencing family health problems with his wife and father. The Mayor stated the City needed someone to lead the Finance Committee in Mr. Stautberg's absence. The Mayor asked President McKinney to take on the task. President McKinney stated she can help as long as Council can back her up. President McKinney has some health issues of her own at the time and will do all that she can, even if bed ridden. The Mayor informed Council that Mr. Stautberg will help when available. There was much discussion on how to handle the issue.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Neal updated Council on the progress of the Harrison Avenue projects, and jokingly hopes they are done before he retires. Mr. Neal previously informed all companies making bids that the project would start immediately. A preconstruction meeting was held with the Prawn Corporation out of Cleveland. They stated they would start the project in September, to which Mr. Neal informed them that the public wanted the project done immediately. Mr. Neal explained the City's position. The contractors for the mast arm signals will start June 15, 2009. They should be done drilling the street in two weeks. On July 1, 2009, the company paving Harrison from Northbend to Lovell will begin (Phase I). Most of the curb work for this project is already done. Phase II which includes paving the rest of Harrison is now in the hands of CDS (the City's engineering company). The approval for this Phase needs to go through the Ohio Department of Transportation which is a lengthy process. The final review should be completed by the end of the week. All the paving of Harrison Avenue should hopefully be done by the Harvest Home Parade.

The swimming pool opened Memorial Day weekend for three days. The pool will open for 11 weeks beginning June 6, 2009.

Mr. Neal is appreciative Council passed the legislation concerning salt bids.

Mr. Neal is hoping Council gives him direction concerning the properties on Harrison Avenue and Darwin. The City just paid a tax bill on the Darwin Property. The City also received another tax bill for the Cemetery for \$3,200. The City has filed the correct paperwork to dispute the bill and was instructed by the Law Director not to pay the bill. The process can take up to a year. The Glenmore House will close Thursday.

Mr. Neal briefly discussed how the chase incident was near the Glenmore House. Mr. Sunderhaus will report on the situation.

There were no questions for Mr. Neal.

Law Director's Report

Mr. Waters responded to Mr. Neal's question about the property on Harrison Avenue. Mr. Waters has been in contact with the Larry Barren who handles the Real Estate Foreclosure Cases for Hamilton County. Mr. Waters is waiting for the information of the State Contact in this matter. Mr. Waters will follow up on the issue tomorrow. There was much discussion between Mr. Neal and Mr. Waters concerning the safety of the property. There were to further questions.

Public Recognition on Other Issues

Citizen Ed Mormile of Northbend addressed Council on several issues. Mr. Mormile stated his concern for the removal of the traffic signal at Lovell at Harrison Avenue. Lovell Avenue is the only safe exit for some citizens to Harrison Avenue. Once people enter Harrison Avenue near Cheviot Elementary, the road becomes a raceway. Mr. Mormile feels there are citizens that haven't been heard yet. Mr. Neal explained the lengths the city has gone to with ODOT to keep the signal. The signal will be bagged and monitored before it shall be removed. The City will handle the issue if it becomes a problem. There was much discussion between Mr. Neal and Mr. Mormile concerning the Harrison Avenue project and what steps will be taken if the light can stay at Lovell.

Mr. Mormile questioned the cost of the special election to the City. The Mayor informed him there was but the City would have to pay for the levy in a normal election as well. The Board of Elections has changed its cost structure. Mr. Waters stated the BOE informed him the cost of the election would be approximately \$10,000. Mr. Mormile stated he is keeping up with the City by reading the posted minutes on the website. Mr. Mormile thanked Clerk McKinney for keeping them up to date, precise and very informative.

Citizen Elaine Schlueter of Glenmore addressed Council. She is having severe problems with her neighbor to the rear of her property. The issue has been going on for a number of years. Two windows were damaged by golf balls. She was informed by the police there was nothing they could do unless it was intentional. There have been several other items thrown at her house. The neighbor is leaving yard waste on her property behind her garage and is currently building a garden on her property. A survey has been done. Ms. Schlueter asked Council what her rights were and how to handle the situation. Mr. Zech informed Council he previously talked to Ms. Schlueter and obtained her contact information. Mr. Zech plans to talk to the Police Chief concerning the matter. Mr. Zech asked Council if there were any other opinions. Ms. Schlueter stated the survey markers were still in place. Mr. Dinkelacker stated that removal of those markers is a federal offense. The Mayor discussed a possible fence with Ms. Schlueter but asked that she go through the proper channels to obtain a permit if deciding to do so. The Mayor informed Ms. Schlueter that the building department could assist her with any questions she might have. Mr. Waters stated she could not give her legal advice but stated she should take direction from the building department and perhaps independent legal counsel.

Ms. Schlueter also stated her concern with the Harrison Avenue project and the upcoming Westfest. Mr. Zech informed her that all companies involved are well aware of Westfest.

Other Business

Mr. Sunderhaus updated Council with information provided by the Police Chief. A copy of this report can be obtained at City Hall.

Mr. McGowan reminded Council of the continuation of the Finance Committee meeting on Thursday at 6:00p.m. The upcoming tax levy will be discussed.

Mr. McGowan also called a meeting of the Streets, Sidewalks, and Lights Committee for Tuesday June 9, 2009 at 6:00 P.M. The parking situation on Northbend will be discussed.

Mr. Waters informed Council he personally arraigned 3 of the 4 suspects involved in the Bridgetown Mini Mart robbery. One of the suspects is a juvenile. Each suspect was given a \$100,000 bond with no 10%. Mr. Waters expects that the Grand Jury will indict all three suspects.

Mayor's Court and Treasurer's Receipts

Mayor's Court Receipts for May 2009 were received. A motion to receive and file was made by Mr. Sunderhaus, seconded by Mr. Zech; 6-0 voice vote.

Correspondence

- No New business permits for May 2009
- 1 Property Maintenance report from the Building Department
- Notice of a permit violation from the Building Department
- Email from a citizen concerning K9 Charlie's good work
- Free Fridays at the Cincinnati Museum Center
- Notice Ohio Gas Association to contact provider if digging

Mayor Keller asked Council for a vote to adjourn to executive session. The purpose of the meeting is to update Council on Wage Negotiations. Council agreed with a 6-0 voice vote. Council entered executive session at 8:08 P.M. Mr. Neal exited the meeting.

Council returned from executive session at 8:53 P.M.

Mr. McGowan stated that after further thought into the Finance Committee projects, he would head up the task. Mr. McGowan stated his concern for President McKinney's health and felt she should not lead the mission. Mayor Keller asked that Mr. McGowan step down from wage negotiations. Mr. McGowan agreed and stated that would give him more time to concentrate on the Finance Committee. President McKinney informed Council that she would help as much as possible but is not sure what the rest of the summer will hold.

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. McGowan. The motion passed 6-0 by voice vote. The meeting adjourned at 8:58 P.M.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council