

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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July 7, 2009

The regular session of Council was called to order at 7:37 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
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 personal issues. A motion to excuse Mr. Stautberg was made by Mr. McGowan, seconded by Mr. Sunderhaus. The motion was passed with a 6-0 voice vote. President McKinney stated there is one piece of legislation, an ordinance regarding the contract for the maintenance department. President McKinney also stated there were three Reports of the Finance Committee and one Report from the Streets, Sidewalks and Lights Committee. A motion to approve and file the minutes for June 16, 2009 was made by Ms. Zech, seconded by Mr. Dinkelacker. 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

Mr. McGowan read a report of the Finance Committee of June 4, 2009 into the record. Mr. McGowan made a motion to receive and file, seconded by Mr. Zech. The report was received and filed with a 6-0 voice vote.

Mr. McGowan read a report of the Finance Committee of June 15, 2009 into the record. Mr. McGowan made a motion to receive and file, seconded by Mr. Dinkelacker. The report was received and filed with a 6-0 voice vote.

Mr. McGowan read a report of the Finance Committee of June 22, 2009 into the record. Mr. McGowan made a motion to receive and file, seconded by Mr. Sunderhaus. The report was received and filed with a 6-0 voice vote.

Mr. McGowan read a report of the Streets, Sidewalks and Lights Committee of June 15, 2009 into the record. Mr. McGowan made a motion to receive and file, seconded by Ms. Zech. The report was received and filed with a 6-0 voice vote.

Introduction of Ordinances and Resolutions

Mayor Keller stated the Wage Negotiation Committee has reached an agreeable contract with the ASFME Union. The contract is complete and ratified by the union. Council is ratifying the contract this evening. Mr. Waters will review the contract once more and the Mayor will sign it on behalf of the City. The contract is a one year contract extension with 0% increase in wages for the public works employees.

Ms. Zech made a motion to introduce The Labor-Management Agreement between the City of Cheviot and AFSCME Ohio Council 8 Local 1093A. A motion to introduce was made by Ms. Zech and seconded by Mr. Sunderhaus. The motion passed with a 5-0 voice vote. Mr. Braun abstained from the vote. The ordinance was assigned ordinance number 09-12.

A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Mr. Dinkelacker. A roll call vote was taken and the motion passed with a 5-0 vote. Mr. Braun abstained from the vote.

There was no discussion on the ordinance.

A motion to adopt was made by Mr. Sunderhaus and seconded by Mr. Zech. A roll call vote was taken and the motion passed with a 5-0 vote. Mr. Braun abstained from the vote.

Ordinance 09-12 was adopted.

Mayor's Report

Mayor Keller passed out the 2010 appropriations that the City is required to file with the county. This is a worst case scenario; the City has to report its greatest form of revenue with its greatest form of expense. The City has to report to the County every year. Assuming the Levy passes and the garbage fee expires, the City will still have a deficit. Mayor Keller discussed the calculations in depth. Revenue has been down compared to the previous year. Then end of the year will be very tight. Mayor Keller informed the Safety-Service Director to let all departments know there will be no extra money to ask for at the end of the year. All departments must stay within their budget.

Mayor Keller will pass on the Contract with Public Health Services to Mr. Waters. The health commissioner Timothy Ingram has forwarded this onto the city. Mr. Waters will review the contract and prepare an ordinance for next meeting.

Harrison Avenue has a one week delay due to rain. The company hired to do the grinding of Harrison Avenue got delayed on a previous project. The City is still waiting on the County to award the contract for Phase II. Mr. Neal is staying on top of the issue. The County and State move slower than the city. The goal is to have both phases complete by the Harvest Home Parade.

Mayor Keller will be absent from the next Public Hearing and Meeting on July 21, 2009. President McKinney and Mr. McGowan can both share in the introduction to the Hearing on the tax levy. Mayor Keller will be present for the Public Hearing on Monday July 13, 2009.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Neal left a report for Council. Clerk McKinney read it into the record. The report can be reviewed at City Hall. The report included updates on the Harrison Avenue project phase I and II, the signal project, the property on Darwin Avenue, property on Homelawn Avenue, the Harrison Avenue property, Maintenance of yards, Westfest and issues with bars and Mr. Stautberg.

There were no questions or concerns about Mr. Neal's report.

Law Director's Report

Mr. Waters informed Council there is a business on Harrison Avenue that wishes to obtain a permit to build a fence around their parking lot. Mr. Waters has instructed the building department to hold off on any permit until the City was certain the neighboring property owner did not have an easement. The Cappel's business may have some rights to that property. Mr. Waters has spoken to their attorney and is awaiting her response. If there is not conflict, Mr. Waters will give the building department the go ahead for the permit. The fence will not improve our business district in anyway and make the property ugly. The owner does have the right to put it up under our current zoning and building codes.

Mayor Keller asked Mr. Braun about the Harrison Avenue property and the meeting that was held with Mr. Vitor. Mr. Braun informed council he was waiting to report on the issued until he received further information from Mr. Neal concerning the use of the Neighborhood Stabilization Funds. There was much discussion on the issue. Mayor Keller also addressed the Darwin property. The property has been razed and Mr. Braun has been in touch with the local chapter of the Green Building Council to put us in contact with a developer to build a green home on the site.

Public Recognition on Other Issues

Ms. Theresa Gibson, a resident of Green Township, addressed Council concerning the near drowning at the Cheviot Pool. The child was floating face down in the water and is fortunately okay. The small child was able to get out of the gate into the larger area. Two lifeguards stated it was not their area to watch. Ms. Gibson has been a member of the pool for four years. Ms. Gibson questioned the credentials of the lifeguards. She also asked how to prevent this from happening in the future. Mr. Neal was not in attendance to address Ms. Gibson's concerns. Mayor Keller had minor knowledge of the incident. Mayor Keller stated he was informed the child was okay and spoke to the fire department about the issue. Ms. Gibson stated the officer (#4), did not really know what was happening. The officer responded due to the request of the employees. A huge yelling match ensued, which resulted in the arrest of Ms. Gibson's daughter. Ms. Gibson stated it was a sad situation and would not like to see this happen again. No one apologized or showed concern for the child. The Mayor assured Ms. Gibson that the lifeguards are fully certified and that she should contact Mr. Neal with further concerns on this issue. Further discussion on the situation continued.

Other Business

Mr. McGowan called a meeting of the Finance Committee for Monday July 13, 2009 at 6:30p.m., before the public hearing. The other levies to expire will be discussed.

Mr. Sunderhaus thanked all those who worked at the City Booth at Westfest. Mr. Dinkelacker was a staple in the booth on Saturday. Special thanks to Tony Dangle, Tom Braun and Mike Callahan for their leadership.

President reminded all of the following meetings:
Finance Committee Monday July 13, 2009 at 6:30 at Harvest Home
Public Hearing following at 7:30 at Harvest Home
Public Hearing on Tuesday July 21, 2009 at 6:30 at City Hall

Mayor's Court and Treasurer's Receipts

Treasurer's receipts for April 2009 were mistakenly misplaced and not received at the previous meeting. Mr. Zech made a motion to receive and file the receipts and was seconded by Mr. Sunderhaus. The motion passed with a 6-0 voice vote.

Ms. Zech questioned the totals for the May 2009 Treasurer's receipts. Council agreed to hold off approving the receipts. The question will be referred to the Treasurer.

Mayor's Court receipts for June 2009 were received. A motion to receive and file was made by Mr. Sunderhaus and seconded by Mr. Zech. The motion passed with a 6-0 voice vote.

Correspondence

- Safety-Service Director's notice of the salt bids
- No new business permits for the month of June 2009

Mr. Waters stated he needed a copy of the numbers for the salt bids.

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 8:17 P.M.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council