

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

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September 16, 2008

The regular session of Council was called to order at 7:32 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         | Deborah M. McKinney   |
| Law Director                 | Mark G. Waters        |
| Safety Service Director      | Steven O. Neal        |
| Council 1 <sup>st</sup> Ward | Ryan T. Zech          |
| Council 2 <sup>nd</sup> Ward | James Babey           |
| Council 3 <sup>rd</sup> Ward | James F. Sunderhaus   |
| Council 4 <sup>th</sup> Ward | Greg J. Stautberg     |
| Council at Large             | Kathleen S. Zech      |
| Council at Large             | Dennis T. Dinkelacker |
| Council at Large             | Steven L. Braun       |

President McKinney called for the reports that would be presented. The minutes of September 2<sup>nd</sup>, 2008 were approved.

### **Reports of Standing Committees**

Mrs. Zech read a report of the Laws, Rules & Ordinances Committee into the record. Mrs. Zech made a motion to receive and file the report with a second from Mr. Dinkelacker. The motion carried 7-0 by voice vote.

### **Introduction of Ordinances and Resolutions**

Mr. Dinkelacker made a motion to introduce an ordinance *To Approve The Contract With The Advisory Council Of The Hamilton County General Health District For The Provision Of Public Health Services In Calendar Year 2009; To Authorize The Mayor To Sign The Contract On Behalf Of The City; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as ORD 08-26. Mr. Stautberg made a motion to suspend the rules with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote. Mr. Sunderhaus made a motion to adopt with a second from Mr. Stautberg. The motion carried 7-0 by roll call vote. Mr. Stautberg made a motion to introduce an ordinance *To Amend The 2008 Annual Appropriations; And To Declare An Emergency* with a second from Mr. Braun. The motion carried 7-0 by voice vote and was assigned as ORD 08-27. Mr. Sunderhaus made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion to adopt with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion to introduce an ordinance *To Amend Section 137.08 Of The Cheviot Code Of Ordinances* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as ORD 08-28; this constituted the first reading of the ordinance. Mr. Babey made a motion *To Appoint A Chief Executive Officer, A Chief Financial Officer, And A Project Manager; To Submit The Necessary Application For The State Capital Improvement Program; To Execute A Project Agreement; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as RES 08-12. Mr. Babey made a motion *To Authorize The Safety-Service Director To Solicit Bids For Ice Control Salt For The 2008-2009 Winter Season; And To Declare An Emergency* with a second from Mr. Dinkelacker. The motion carried 7-0 by voice vote and was assigned as RES 08-13.

### **Mayor's Report**

Mayor Keller informed Council that he believes 60% of the city has had power restored following the high wind storm on September 14<sup>th</sup>, but added that most of Wards 3 and 4 are still without power. Mayor Keller asked Council to advise residents who contact them to get as much debris out to their curbs as possible, adding that he has temporarily lifted the restrictions on bundling yard waste. Mayor Keller said that if anyone has spoiled food from their refrigerator they can call City Hall and the City will make a special pickup. Mayor Keller updated Council on the fire that destroyed the Elks Lodge at 4101 Harrison

Avenue, adding that in 28 years as a firefighter he had never seen a fire spread so quickly. Mayor Keller said that the Fire Department did an amazing job of protecting the surrounding buildings in such high winds, and thanked the Fire Departments from Miami Township, Colerain, Green Township and Delhi for responding. Mayor Keller then thanked the Police, Fire and Public Works Departments for the outstanding job they did during and after the storm, adding that Mr. Neal and Mr. Braun were out today doing damage assessments needed to attempt to recover funds that are available as the city is within the area designated a disaster zone. There was much discussion. Mr. Waters informed Mayor Keller that there have been numerous break-ins reported in surrounding communities and advised that the business district be notified. Mr. Stautberg encouraged everyone to check in on their neighbors. Mr. Neal informed Council that extra patrols throughout the parts of the city without electricity are currently underway.

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

Mr. Neal informed Council that he intends to send a bill to Capital Electric's insurance company to cover the City's cost fighting the fire at the Elks Lodge, as it has been determined that a wire that snapped loose from one of the traffic signals is what caused the fire. Mr. Neal informed Council that damage assessment has begun throughout the city and updated Council on the progress. Mr. Neal informed everyone that the City Public Works Department will be working on Saturday utilizing garbage trucks to help pick up debris. There was much discussion.

### **Law Director's Report**

Mr. Waters had no formal report.

### **Public Recognition on Other Issues**

Jack Avhagen of Carrie Avenue came to Council to report open burning conducted by neighbors near his home, adding that he has contacted the fire department several times to complain about a neighbor who burns leaves and other large fires behind his home. Mr. Avhagen added that there are large piles of wood on the property in question that have been trucked in that are attracting rats and other vermin. Mayor Keller informed him that there is a prohibition against burning leaves and that any fires must be contained. There was much discussion. Mayor Keller asked Council to look into the ordinance on this issue, and informed Mr. Avhagen he would have Mr. McGowan follow up with him.

Jenny Eilermann of Lovell Avenue came to Council to ask if patrols on Woodbine Avenue could be increased due to the activities of young thugs in the area. There was much discussion. Mr. Neal said he would address the issue with the Police Department.

### **Other Business**

Mr. Stautberg called a meeting of the Finance Committee for Wednesday, September 17<sup>th</sup> at 7:00 P.M. and updated Council on the City's Gas Aggregation program. There was much discussion.

### **Mayor's Court and Treasurer's Receipts**

Mr. Sunderhaus made a motion to receive and file the August 2008 Treasurer's Report with a second from Mrs. Zech. The motion passed 7-0 by voice vote. Mrs. Zech made a motion to receive and file the August 2008 Mayor's Court receipts with a second from Mr. Dinkelacker. The motion passed 7-0 by voice vote.

### **Correspondence**

A memo from the Fire Chief regarding new business permits, five Building Reports and three Property Maintenance Reports were received.

President McKinney asked Mr. Neal if public hearings needed to be held before the next two Council meetings regarding Community Development funds; Mr. Neal said that they would. President McKinney asked Mr. McGowan to publish public notices for those two dates.

Mayor Keller thanked NYPD Pizza and Leslie's Cone Zone for donating food and feeding the firefighters who fought the blaze at the Elks Lodge.

There was a motion to adjourn the meeting by Mr. Dinkelacker with a second from Mr. Stautberg. The motion passed 7-0 by voice vote. The meeting adjourned at 8:23 P.M.

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Matthew D. McGowan  
Clerk of Council

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Deborah M. McKinney  
President of Council