

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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October 5, 2004

The regular session of Council was called to order at 7:33 P.M. with the Pledge of Allegiance and a moment of prayer. Roll call was taken and the following were found in attendance:

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

Mrs. Zech made a motion to excuse Mr. Mestemaker with a second from Mrs. Gooch. The motion carried 6-0 by voice vote. The minutes of September 21, 2004 were approved. President Morganroth called for the reports that would be presented.

Recognition of the Public

Mrs. Karen Jones and her husband approached to inform Council that they were considering purchasing the former Anthony's restaurant located at 3615 Harrison Avenue and opening it as a family restaurant much like Gay 90's (the restaurant that was in that location prior to Anthony's). She went on to say that she was seeking assistance from the City in the form of a grant. The Mayor asked them to put together a proposal and then to give it to the City's Finance Committee. There was much discussion about liquor licenses.

Safety-Service Director's Report

Mr. Neal reported that they received the bid results for salt for the winter of 2004-2005. Morton Salt was the only one who bid as three others thanked the city for the opportunity to bid but declined. The bid came in as follows: \$38.59 per ton piled, and \$36.09 per ton dumped. The total expense increased \$1600 more than last year. Mr. Neal also reported that the water main replacement on Carrie Avenue should start around November 1st and last until January 31st. Cinergy has decided to replace the gas main on Carrie, Harrison and McFarren and are doubtful that they will meet the May 20 deadline. Finally, Mr. Neal reminded the public that Halloween is on October 31 and that trick-or-treating is permitted between 6 P.M. and 8 P.M.

Mayor's Report

Mayor Keller provided an update on Issue 2. He stated that the City of Cheviot needs the tax levy to continue operating at the expected levels. He reminded the public that the last tax increase was 24 years ago. He explained that while the City has operated in a conservative manner, expenses continue to increase and other revenues are on the decrease. He encouraged the public to attend a town hall meeting on October 13 at Cheviot City Hall at 7 P.M. Mayor Keller also thanked Cheviot School for continuing to provide construction updates on the bulletin board outside the construction trailers at Cheviot School.

Law Director's Report

Mr. Waters reported that the Liquor Control Board has set the hearing for the liquor license for Stewart's Irish Pub on October 8, 2004 at 1:00 P.M. at Cincinnati City Hall. He also reported that depositions for the federal case pertaining to the Cheviot Police were scheduled to be held today, October 5.

Committee Reports

Ward 1 - Mr. Murray had no formal report. He called a meeting of the Parks and Playgrounds Committee on Tuesday, October 12 at 7 P.M. in the conference room at Cheviot City Hall. He reminded the public that C.A.P. was unable to hold the annual Haunted Stroll Through the Park because of the EgyptFest scheduled for the same weekend.

Ward 2 - Mr. Dinkelacker had no formal report. Mr. Dinkelacker made a motion *To Accept The Bid Of Morton Salt Company For The Provision Of Ice Control Salt For The 2004-2005 Winter Season; And To Declare An Emergency*. Mr. Murray made the second. The motion passed 6-0 by voice vote and was assigned as ORD04-24. Mrs. Gooch made a motion to suspend the rules with a second from Mrs. Zech. The motion passed 6-0 by roll call vote. Mr. Dinkelacker made a motion to adopt with a second from Mr. Sunderhaus. The motion passed 6-0 by roll call vote.

Ward 3 - Mr. Sunderhaus had no formal report.

Ward 4 - Mrs. Gooch had no formal report. Mrs. Gooch made a motion to suspend the rules on ORD04-23, *To Amend The 2004 Annual Appropriations And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion passed 6-0 by roll call vote. Mr. Norman made a motion to adopt with a second from Mr. Murray. The motion passed by roll call vote 6-0. This concluded the final reading of ORD04-23.

Council at Large - Mr. Mestemaker did not forward a report.

Council at Large - Mrs. Zech read a Laws, Rules, and Ordinances report into the record. Mrs. Zech made a motion to receive and file the report with a second from Mr. Dinkelacker. The motion passed by voice vote 6-0. Mrs. Zech made a motion *To Amend Section 131.05© Of The Cheviot Code Of Ordinances; And To Declare An Emergency*. Mr. Sunderhaus made the second. The motion carried 6-0 by voice vote. It was assigned as ORD04-25. Mr. Murray made a motion to suspend the rules with a second from Mr. Sunderhaus. The motion passed 6-0 by roll call vote. Mr. Dinkelacker made a motion to adopt with a second from Mr. Norman. The motion passed 6-0 by roll call vote. There was much discussion about when the City receives the fines added to property tax and when the City notifies the Hamilton County Auditor's Office. Mayor Keller would like to see the process done quarterly. Mr. Dinkelacker asked who is responsible for the upkeep of a property when the owner lives in Hamilton County, but does not reside at the property which is not up kept. He wondered if the renter or the owner of the property would be cited for not keeping the property up. There was much discussion, but the overall consensus was that ultimately the property owner is responsible. Mayor Keller asked for a code to allow the City to allow place notice on the property instead of using certified mail. The Law Director stated that he would research this.

Council at Large - Mr. Norman had no formal report.

Further Business

Steve Neal took a moment to explain that the Cheviot Fire Department does charge for Ambulance runs, but that we are suppose to use soft billing. He mentioned that the elderly are receiving multiple bills from Medi-count management and that they shouldn't have to pay for service. They are looking it to correcting the problem of billing residents directly.

Mr. Murray made a motion to receive and file the Mayor's Court Receipts for September, 2004. Mrs. Zech made the second. The motion passed 6-0 by voice vote. Council elected to hold off on passing the August, 2004 Treasurer's Report until a negative balance in the waste collection line item could be explained.

Correspondence

There were two reports from the building department.

There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Sunderhaus. The motion passed 6-0 by voice vote. The meeting adjourned at 8:20 P.M.

Ryan T. Zech
Clerk of Council

James E. Morganroth
President of Council