

# Minutes of City Council Meeting, Cheviot, Ohio

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January 19, 2010

The regular session of Council was called to order at 7:39P.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 O. Neal
Council 1 <sup>st</sup> Ward	Ryan Zech
Council 2 <sup>nd</sup> Ward	Matthew D. McGowan
Council 3 <sup>rd</sup> Ward	James F. Sunderhaus
Council 4 <sup>th</sup> Ward	William H. Clark III
Council at Large	Kathleen S. Zech
Council at Large	Dennis Dinkelacker

A motion to excuse Mr. Braun was made by Mr. McGowan, seconded by Mr. Dinkelacker. The motion passed with a 6-0 vote. President McKinney stated there are Ordinances to approve the Fire Contract, approve the Police Contract, to extend the City's Contract with Rumpke, a Resolution to Request Advancement of Taxes from Hamilton County and the First Reading of an ordinance for Severance Compensation for the Safety-Service Director. There is a report from the President of Council from the Committee of the Whole. A motion to approve and file the minutes for December 15, 2009/January 1, 2010 was made by Ms. Zech, seconded by Mr. Zech. Clerk McKinney will add the full roll call of the new Council into the January 1, 2010 portion of the minutes. The motion passed with a 6-0 voice vote.

## **Public Recognition on Agenda Items**

No one from the Public wished to address Council on any Agenda Items.

## **Reports of Standing Committees**

President McKinney read her report of the Committee of the Whole meeting held January 6, 2010. A motion to receive and file was made by Mr. Zech, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote.

## **Second and Third Readings of Ordinances**

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

Ms. Zech made a motion to introduce an ordinance *To Approve the Collective Bargaining Labor Contract with the Fraternal Order of Police, Ohio Labor Council, Inc. (Police Officers and Sergeants), for the Period Beginning April 1, 2009; and to Declare an Emergency.* An introduction was made by Ms. Zech and seconded by Mr. Dinkelacker. The motion passed with a 6-0 vote. The ordinance was assigned ordinance number 10-02. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Mr. Zech. A roll call vote was taken and the motion passed 6-0. A motion to adopt was made by Mr. Sunderhaus and seconded by Mr. McGowan. A roll call vote was taken and the ordinance was adopted with a 6-0 vote.

Ms. Zech made a motion to introduce an ordinance *To Approve the Collective Bargaining Labor Contract with the Cheviot Professional Firefighters Union for the Period Beginning April 1, 2009, and ending May 31, 2010; and to Declare an Emergency.* An introduction was made by Ms. Zech and seconded by Mr. Zech. The motion passed with a 6-0 vote.

The ordinance was assigned ordinance number 10-03. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Mr. Zech. A roll call vote was taken and the motion passed 6-0. A motion to adopt was made by Mr. Dinkelacker and seconded by Mr. Zech. A roll call vote was taken and the ordinance was adopted with a 6-0 vote.

Mr. Sunderhaus made a motion to introduce an ordinance *To Approve an Extension of the City's Contract with Rumpke, Inc.; to Authorize the Safety-Service Director to Sign the Extension Agreement on Behalf of the City; and to Declare an Emergency*. Mr. Sunderhaus explained the contract was for disposal of waste collected by the maintenance department. An introduction was made by Mr. Sunderhaus and seconded by Mr. McGowan. The motion passed with a 6-0 vote. The ordinance was assigned ordinance number 10-04. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Ms. Zech. A roll call vote was taken and the motion passed 6-0. Ms. Zech asked the Administration if we were agreeing to the same rate. Mr. Neal said he was not positive of the rate at that moment but it was almost equal to the prior rate, maybe pennies more. Mayor Keller agreed. A motion to adopt was made by Mr. Sunderhaus and seconded by Mr. Dinkelacker. A roll call vote was taken and the ordinance was adopted with a 6-0 vote.

Mr. Zech made a motion to introduce an ordinance *To Set the Severance Compensation for the Safety-Service Director Upon His Retirement*. An introduction was made by Mr. Zech and seconded by Mr. Sunderhaus. The motion passed with a 6-0 vote. The ordinance was assigned ordinance number 10-05. This constitutes a first reading of Ordinance 10-05.

Mr. McGowan made a motion to introduce a resolution *To Request that the Hamilton County Auditor Make Advance Payment of Taxes to the City of Cheviot Pursuant to Section 321.34 of the Ohio Revised Code; and to Declare an Emergency*. A motion to introduce was made by Mr. McGowan, seconded by Mr. Dinkelacker. The motion passed with a 6-0 vote. The resolution was assigned resolution number 10-01 and is adopted.

### **Introduction by the Mayor**

Mayor Keller informed Council that Mr. Norman is unfortunately not available to make his yearly Council Address due to a death in his family.

Mayor Keller read his State of the City Address for Council, Administration and the Public. A copy of his address is on file at Cheviot City Hall.

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

Mr. Neal reminded the Business owners to keep the sidewalks clear of snow.

Mr. Clark asked about the stop line at the Bridgetown and Harrison intersection. Mr. Clark is concerned that the line is up to far for drivers to see the light. Mr. Neal stated that ODOT regulates the placement of those lines.

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

Mr. Waters is also required to make annual summary to Council. Mr. Waters stated that on a monthly basis he fully updates Council on any legal issues involving the City. Mr. Waters reminded Council and the Public of the legal issues concerning the auto accident at the intersection of North Bend and Westwood Northern Boulevard. A representative from our insurance company is now handling the suit. The Mayor has just been served with papers for a lawsuit concerning a young girl who injured herself at Harvest Home Park. Money was also submitted for an outstanding bill for the rental of Harvest Home, \$1250. There was an appeal from Mayor's Court as well. Overdue trash collection fees for businesses have been addressed.

Mr. Waters reminded Council that the contracts passed for Maintenance, Fire and the Police are only one year contracts and wage negotiations should start shortly. The Police Chief supplied Mr. Waters with a list of items building up in the property room. Mr. Waters will deal with this issue.

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

The owner of Michael's Salon addressed Council. He questioned the delay in opening his salon due to the availability of the building department. He requested a final list of requirements to open. Mayor Keller had the list to deliver to him.

Marcia Spraul complimented the Maintenance Department on the snow removal.

### **Other Business**

Ms. Zech called a meeting of the Laws, Rules and Ordinances Committee for Tuesday January 26, 2010 at 6:00pm to discuss daytime curfews, misdemeanor fines and court costs. Clerk of Courts Sue Morganroth will be at the meeting to talk with the committee.

Mr. McGowan called a meeting of the Finance Committee for Tuesday January 26, 2010 at 6:30pm to discuss the 2010 budget.

Mr. Waters swore Rachel A. McKinney in as Clerk of Council.

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

A motion to receive and file the Treasurer's Receipts for November 2009 was made by Ms. Zech and seconded by Mr. McGowan. The motion passed with a 6-0 voice vote.

A motion to receive and file the Mayor's Court Receipts for December 2009 was made by Mr. Zech and seconded by Mr. Dinkelacker. The motion passed with a 6-0 voice vote.

### **Correspondence**

- Mayor's State of the City Address
- Memo from the Tax Commissioner
- List of Building Permits Issued
- New Business report from December 2009
- Government Product News
- Request from the Ohio Municipal League for updated officials
- List of Magistrate Court Dates

Mayor Keller welcomed Councilman Clark to the group.

Mr. Zech thanked Kevin Leidecker from NYPD pizza for his donation for the reception to honor the newly elected officials.

Mayor Keller announced the funeral arrangements for Mr. Norman's grandfather.

There was a motion to adjourn the meeting by Mr. Clark, seconded by Ms. Zech. The motion passed with a 6-0 voice vote. The meeting adjourned at 8:17pm.

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Rachel A. McKinney  
Clerk of Council

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Deborah M. McKinney  
President of Council