

Minutes of City Council Meeting, Cheviot, Ohio

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May 18, 2010

The regular session of Council was called to order at 7:35P.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	Tom Braun
Council 1 st Ward	Ryan Zech
Council 2 nd Ward	Matthew D McGowan
Council 4 th Ward	Bill Clark
Council at Large	Kathleen Zech
Council at Large	Dennis Dinkelacker
Council at Large	Steve Braun

A motion to excuse Mr. Sunderhaus was made by Mr. McGowan, seconded by Mr. Zech. Mr. Sunderhaus is attending a funeral with his daughter. The motion passed with a 6-0 vote. President McKinney stated there were reports of the Public Works and the Parks and Playgrounds Committees. There are four pieces of legislation, an ordinance concerning the reconstruction of Applegate, an ordinance for the sale of an old city vehicle, an ordinance to set the pool rates for the 2010 season and an ordinance regarding appropriations. The Treasurer's report for March 2010 needs to be approved as well. A motion to approve and file the minutes for April 20, 2010 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. Zech read a report of the Parks and Playgrounds Committee Meeting held on April 21, 2010. A motion to receive and file was made by Mr. Zech, seconded by Ms. Zech. The motion passed with a 6-0 voice vote. Mr. Zech also stated that Mr. Tom Braun has already provided the committee with some of the information they requested regarding the swimming pool.

Clerk McKinney read a report of the Public Works and Utilities Committee Meeting held on April 20, 2010. A motion to receive and file was made by Mr. McGowan, seconded by Mr. Clark. The motion passed with a 6-0 voice vote.

Introduction of Ordinances and Resolutions

Mr. Clark made a motion to introduce an ordinance *To Accept the Bid of the John R. Jurgeson Company for the Applegate Improvement Project; and to Declare an Emergency*. Mr. Clark made a motion to introduce, seconded by Mr. Steve Braun. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 10-15. A motion to suspend the rules was made by Mr. Dinkelacker, seconded by Mr. McGowan. A roll call vote was taken and the motion passed with a 6-0 vote. A motion to adopt was made by Mr. Clark, seconded by Mr. McGowan. A roll call vote was taken and the motion passed with a 6-0 vote. Ordinance 10-15 is hereby adopted.

Mr. Clark made a motion to introduce an ordinance *To Authorize the Sale of the City's 1997 Ford F-750 Dump Truck; and to Declare an Emergency*. Mr. Tom Braun noted that by selling the truck outright instead of trading it in, the city will get more money for the vehicle. Mr. Clark made a motion to introduce, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 10-16. A motion to suspend the rules was made by Ms. Zech, seconded by Mr. Dinkelacker. A roll call vote was taken and the motion passed with a 6-0 vote. A motion to adopt was made by Mr. McGowan, seconded by Mr. Zech. A roll call vote was taken and the motion passed with a 6-0 vote. Ordinance 10-16 is hereby adopted.

Mayor's Report

Mayor Keller thanked the Cheviot United Methodist Church for all the beautiful flowers and landscaping around City Hall. Their hard work is greatly appreciated by the city and brings back a sight that City Hall has not seen in a few years.

Mayor Keller welcomed back "Our Sergeant at Arms", Mr. Charlie Zech.

Mayor Keller stated that he would need to call an executive session later this evening to discuss the details of the fire contract.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Tom Braun stated that the banner poles would be up within two weeks.

Mr. Braun informed Council that 54 properties have been cited for high grass and of those 54, this city has cut 6. Mayor Keller asked Mr. Braun to explain the process the city has to go through in order to cite and cut a yard. Mr. Tom Braun stated that first the grass has to be at least 10 inches tall. After the complaint is made, a certified letter is sent to the property owner to cut the grass. If the certified letter comes back unclaimed or refused, ordinary mail is issued. If the letter comes back signed, the owner has 5 days to cut the grass before the city comes in and does it for them. After the ordinary mail is issued, the city must wait 3 days before it can be cut. Once the city cuts a yard, they can continue to cut it every time it reaches 10 inches, without having to go through the certified mail process each time. This process does not carry over from year to year though.

Ms. Zech complimented the maintenance department and the Safety-Service Director on their quick action in response to some of the properties. She has received some calls from residents and the maintenance department was already in the process of notifying the owner.

Mr. Clark asked how much the owner is assessed and how are they billed. Mr. Tom Braun stated they are charged according to how long it takes to cut, how many men, what equipment needs to be used and an administrative fee. The city bills the owner and if the bill isn't paid, the cost is added to the owner's tax duplicate.

Mr. Waters explained that each October he is informed of what bills are still outstanding. An ordinance is passed to add these assessments to the tax duplicate of each owner who still has an outstanding bill. The ordinance is sent down to the county auditor's office. If the property is in foreclosure, we get paid first because it is part of the taxes on the property.

Mr. Braun also thanked the Cheviot United Methodist Church for the flowers and mulch outside of City Hall.

Mr. Braun stated that the flower baskets on the mast arm signals are up. The city is still determining how to best care for these items.

Mr. Braun met with a few companies regarding liability insurance for the city. Mr. Braun received two quotes this year. Mr. Braun made a recommendation to go with the lower bid. Mr. Waters explained that Council may approve this bid by a motion. A motion to approve the proposal was made by Mr. McGowan, seconded by Mr. Dinkelacker. A formal resolution does not need to be drafted. It is just an informal motion. The motion passed with a 5-0 voice vote. Mr. Zech abstained from the vote.

Law Director's Report

Mr. Waters did not have a formal report this evening.

There were no questions for Mr. Waters.

Economic Developer's Report

Clerk McKinney stated a report from the City's Economic Development Director, Ms. Caroline Statkus, was submitted. The report was a summary of the Economic Development Director's activities in April 2010. This report can be viewed at City Hall upon request.

Public Recognition on Other Issues

Mr. Apolonio Garcia of Alta Vista addressed Council regarding speeding. He stated that the speeding problem on Alta Vista is bad. There are many children that play on that street, including his own, and fears that a child may get hit if a driver is speeding down the road and does not have enough time to react. He assured council that the children are supervised but that balls tend to end up in the street from time to time and a car going 50 miles per hour cannot slow down as quickly as one going the actual speed limit. Many options were discussed concerning the speeding problem. Mr. Garcia would like to see speed humps added or perhaps an alternative as suggested by the city. Mayor Keller and others on Council explained the fire department's objection to speed humps as it may slow response time and damage their vehicles. Much discussion occurred. It was decided that this issued would better be addressed in Mr. Clark's Streets Committee. Mr. Tom Braun also stated that he would address the speeding issue with the police chief and suggest more radar be taken. Council thanked Mr. Garcia for sharing his concerns.

Other Business

Mr. Clark called a meeting of the Streets, Sidewalks and Lights Committee for Tuesday May 25, 2010 at 6:00pm. The purpose of this meeting is to discuss a request for an easement from a resident, the speeding issues and possible solutions and the streetscape plan. President McKinney reiterated to the public that all committee meetings are open and anyone is welcome to attend. Mr. Waters stated that in regards to the easement, all property must be put out for bid and that he should be contacted regarding the situation if needed. Mr. Clark also requested that Mr. Dinkelacker attend the meeting as well.

Mr. McGowan stated he received a memo from the fire chief stating the city's need to replace an ambulance and a fire truck.

Mr. McGowan called a Finance Committee Meeting to follow the Streets, Sidewalks and Lights Committee Meeting on May 25, 2010, approximately 6:30pm, to discuss the fire budget.

Mayor's Court and Treasurer's Receipts

Council received a copy of the Treasurer's Receipts for March 2010. Ms. Zech stated an error in the numbers and requested that this item be held in order to clarify the report. Ms. Zech stated she would inform Mr. Norman.

Ms. Zech also informed Council that the most recent ordinances have been codified and the supplements are available to those who have ordinances books.

A motion to receive and file the Mayor's Court Receipts for April 2010 was made by Mr. Zech, seconded by Mr. Clark. The motion passed with a 6-0 voice vote.

Correspondence

- 4 Property Maintenance Reports
- Franchise Fees from Time Warner
- Report of licenses and permits issued for April 2010

- 3 letters issued by the Building Department
- Cheviot Crime watch invitation
- New business permits for April 2010
- Streetvibes
- Liquor permit transfer for Costello's
- Liquor License fee distribution

A motion to adjourn into executive session was made by Mr. Zech, seconded by Ms. Zech and third by Mr. Clark. Council went into executive session at 8:24pm.

Council returned from executive session at 8:43pm.

Additional Ordinances

Mr. Zech made a motion to introduce an ordinance *To Set Rates for the Usage of the Municipal Swimming Pool; and to Declare an Emergency*. Mr. Zech made a motion to introduce, seconded by Mr. Clark. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 10-17. A motion to suspend the rules was made by Mr. Zech, seconded by Mr. Dinkelacker. A roll call vote was taken and the motion passed with a 6-0 vote. A motion to adopt was made by Mr. Clark, seconded by Ms. Zech. A roll call vote was taken and the motion passed with a 6-0 vote. Ordinance 10-17 is hereby adopted.

Mr. McGowan made a motion to introduce an ordinance *To Amend the 2010 Annual Appropriations and to Transfer Funds; and to Declare an Emergency*. Mr. McGowan stated that this was a combination of two requests by the Auditor. Mr. McGowan made a motion to introduce, seconded by Mr. Zech. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 10-18. A motion to suspend the rules was made by Mr. Dinkelacker, seconded by Mr. McGowan. A roll call vote was taken and the motion passed with a 6-0 vote. A motion to adopt was made by Mr. McGowan, seconded by Ms. Zech. A roll call vote was taken and the motion passed with a 5-0 vote. Mr. Clark abstained from the vote. Ordinance 10-18 is hereby adopted.

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote. The meeting adjourned at 8:45pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council