

Minutes of City Council Meeting Cheviot, Ohio

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October 19, 2010

The regular session of Council was called to order at 7:34P.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 McGowan
Council 3 rd Ward	Jim Sunderhaus
Council 4 th Ward	Bill Clark
Council at Large	Kathleen Zech
Council at Large	Dennis Dinkelacker
Council at Large	Steve Braun

McKinney stated there was an Ordinance concerning the JEDD Western Ridge and the first reading of the Christmas time Parking Meter Ordinance. A motion to approve and file the minutes for October 5, 2010 was made by Mr. McGowan, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote.

Public Recognition on Agenda Items

No one from the Public chose to address Council on any agenda items.

Reports of Standing Committees

Ms. Zech read a report of the Laws, Rules and Ordinances Committee meeting held October 12, 2010. Ms. Zech had two reports for the meeting as there was a break during the evening. Ms. Zech made a motion to receive and file the first report, seconded by Mr. Braun. The motion passed with a 7-0 voice vote. Ms. Zech made a motion to receive and file the second report, seconded by Mr. McGowan. The motion passed with a 7-0 voice vote. Ms. Zech added that after speaking with Mr. Norman, the review of calls for the nuisance ordinance were okay. The rental inspection ordinance is still being modified and reviewed. There may be some concerns as to the interpretation of the new ordinance and that some parts may be challenged. Ms. Zech called another meeting for Tuesday, October 26, 2010 at 6:30pm.

Mr. Clark read a report of the Streets, Sidewalks and Lights Committee meeting held October 12, 2010. Mayor Keller added that CWCA has agreed to paid for the cost of the bags for the meters. Mr. Zech noted that last year there were many complaints from people because the meters were just turned off. Mr. Clark made a motion to receive and file, seconded by Ms. Zech. The motion passed with a 7-0 voice vote.

Introduction of Ordinances and Resolutions

Mr. Dinkelacker made a motion to introduce an Ordinance *To Establish a New Fund for the City's Budget and Appropriations; and to Declare an Emergency*. Mr. Dinkelacker made a motion to introduce, seconded by Mr. Sunderhaus. The motion passed with a 7-0 voice vote. The Ordinance was assigned number ORD 10-34. Mr. Dinkelacker made a motion to suspend the rules, seconded by Mr. Zech. A roll call vote was taken and the motion passed with a 7-0 vote.

President McKinney asked what tax revenues have been received? Mayor Keller stated that for the month of September (from the Good Samaritan Hospital portion), the city has received a little over \$300.00. Mr. Tom Braun stated that the payments will be quarterly and the next disbursement should be in January. Mayor Keller also noted that the JEDD accounts should be a non-interest bearing account and the money doesn't sit in the account. The fees can be approximately \$18-\$40 a month and the interest will not cover the costs. An addendum to Mr. Norman's report may need to be added each month. Mr. McGowan made a motion to adopt, seconded by Mr. Sunderhaus. A roll call vote was taken and the motion passed with a 7-0 vote. Ordinance 10-34 is hereby adopted.

Mr. Clark made a motion to introduce an Ordinance *To Stay Enforcement of Metered Parking in the City of Cheviot Business District from December 1, 2010, through December 31, 2010*. Mr. Clark made a motion to introduce, seconded by Ms. Zech. The motion passed with a 7-0 voice vote. The Ordinance was assigned number ORD 10-35. Mayor Keller noted as there is no meeting the first week of November, Mr. Waters may have to adjust the ordinance to be passed by December 1, 2010. Mr. Tom Braun asked about the word "bagged" in the ordinance. Mr. Waters commented that they can do what ever necessary and that covers any means of altering the meters. Mr. Tom Braun will look into the cost of the bags and if CWCA will cover the costs. There was much discussion on the matter. This constitutes the first reading of Ordinance 10-35.

Mayor's Report

Mayor Keller informed Council that the official resignation of the Fire Chief has been received and that his last day will be January 7, 2011. A party will be held at Harvest Home Park in December, details to come at a later time.

The Mayor stated that an executive session was needed to discuss Cheviot Savings Bank and the sale or use of City property. Ms. Zech made a motion, seconded by Mr. Dinkelacker and then by Mr. Clark. The motion passed with a 7-0 voice vote. President McKinney stated that the executive session will be held later following correspondence.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Tom Braun stated that the kick-off for the Farmer's Market went well.

Mr. Braun informed council and the public that leaf collection began yesterday. He reminded the public to rake leaves to the sidewalk and/or curb and not to place them in the street. The leaves in the street cause the catch basins to clog as well as create a fire hazard.

The closing on Family Dollar is expected this week and the project will move forward. The company has to wait for the current tenets to vacate and then demolition and construction will begin.

There were no questions for the Safety-Service Director.

Law Director's Report

Mr. Waters stated the contract for Joe Schuster has been signed. He has given a copy to the clerk for her records. Mr. Waters asked that President McKinney contact Mr. Schuster as to a start date.

Mr. Waters informed Council that he received a letter from an attorney concerning the actions of one of the City's police officers. He will speak to the Mayor and Police Chief and report back to Council.

The Law Director stated that he spoke again to the special counsel for the vacation of the paper street. Again, Mr. Waters advised that the city do nothing as vacating the street would not benefit the city. Special Counsel stated that if the City insisted on doing something, the license would be the least intrusive method.

There were no questions for the Law Director.

Public Recognition on Other Issues

There were no members of the Public who requested to address Council on any other City Issues.

Other Business

Mr. Sunderhaus asked about the progress of the contract with Eagle Energy. He was informed that the contract and ordinance was being held until the public hearings were held. Mr. Sunderhaus called a meeting of the Public Works and Utilities for Tuesday, October 26, 2010 at 7:00p.m to review the next steps. President McKinney requested that Mr. Sunderhaus handle any press after the public hearings have been held, to address opting out of the program and posting on the website.

Mr. McGowan read a letter received from a resident concerning loose dogs in the neighborhood. In one instance a pit bull was loose on Trevor which frightened many children that morning. There are many kids waiting for the bus and do not need to be scared on their way to school. Mayor Keller will address this with the Police Chief.

Mayor's Court and Treasurer's Receipts

Council received a copy of the Mayor's Court Receipts for September 2010. A motion to receive and file was made by Mr. Clark, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote.

Correspondence

- Official Resignation of the Fire Chief
- Permits/Licenses issued by the Building Dept. for Sept. 2010
- Rescheduling of one date for Magistrate's Court due to a conflict
- Notice of Publishing from the Board of Elections for the Road Levy

Council entered executive session at 8:07p.m.

Council returned from executive session at 8:37p.m.

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. Zech. The motion passed with a 7-0 voice vote. The meeting adjourned at 8:38pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council