

## Minutes of City Council Meeting Cheviot, Ohio

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November 16, 2010

The regular session of Council was called to order at 7:41P.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 <sup>st</sup> Ward | Ryan Zech           |
| Council 2 <sup>nd</sup> Ward | Matthew McGowan     |
| Council 3 <sup>rd</sup> Ward | Jim Sunderhaus      |
| Council at Large             | Kathleen Zech       |
| Council at Large             | Dennis Dinkelacker  |

President McKinney informed Council and the public that Mr. Clark was absent due to a prior commitment with his church and Mr. Steve Braun is currently battling a basement full of water. Ms. Zech made a motion to excuse Mr. Clark and Mr. Braun, seconded by Mr. Sunderhaus. The motion passed with a 5-0 voice vote. President McKinney stated there was an Ordinance to Amend the Appropriations, an ordinance approving the contract with Eagle Energy and the final reading of the Christmas time Parking Meter Ordinance. A Resolution regarding a Memo of Understanding with Green Township will be added to the agenda. A motion to approve and file the minutes for October 19, 2010 was made by Mr. Sunderhaus, seconded by Mr. Dinkelacker. The motion passed with a 5-0 voice vote. A motion to approve and file the minutes for November 9, 2010 was made by Mr. McGowan, seconded by Mr. Dinkelacker. The motion passed with a 5-0 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 26, 2010. Ms. Zech made a motion to receive and file the report, seconded by Mr. McGowan. The motion passed with a 5-0 voice vote.

Mr. Sunderhaus read a report of the Public Works and Utilities Committee meeting held October 26, 2010. Mr. Sunderhaus made a motion to receive and file, seconded by Ms. Zech. The motion passed with a 5-0 voice vote.

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

Mr. Zech made a motion to adopt Ordinance 10-35 *To Stay Enforcement of Metered Parking in the City of Cheviot Business District from December 1, 2010, through December 31, 2010.* Mr. Waters stated that he did include the two hour time limit in the ordinance. Mayor Keller thanked the committee and Mr. Waters for modifying the ordinance to include a time limit. The Mayor also stated that the two hour limit will be enforced. Mayor Keller noted for the record that although CWCA did pay for the printing of the bags that will be placed on each meter, the bags do not mention the City of Cheviot. He added that by waiving the parking meter fees during the month of December, the City loses approximately \$3,000. Mr. Zech made a motion to adopt, seconded by Ms. Zech. A roll call vote was taken and the motion passed with a 5-0 vote. Ordinance 10-35 is hereby adopted.

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

Mr. McGowan made a motion to introduce an Ordinance *To Amend the 2010 Annual Appropriations; and to Declare an Emergency*. Mr. McGowan explained that the ordinance is some end of the year clean up, to pay the bills. Mr. McGowan made a motion to introduce, seconded by Mr. Sunderhaus. The motion passed with a 5-0 voice vote. The Ordinance was assigned number ORD 10-38. Mr. Sunderhaus made a motion to suspend the rules, seconded by Mr. Dinkelacker. A roll call vote was taken and the motion passed with a 5-0 vote. There was no further discussion on the matter. Mr. Sunderhaus made a motion to adopt, seconded by Mr. McGowan. A roll call vote was taken and the motion passed with a 5-0 vote. Ordinance 10-38 is hereby adopted.

Mr. Sunderhaus made a motion to introduce an Ordinance *To Approve a Consulting Service Agreement with Eagle Energy, L.L.C.; and To Declare an Emergency*. Mr. Sunderhaus stated that two public hearings have been held and the contract has been reviewed by the committee. Mr. Sunderhaus made a motion to introduce, seconded by Mr. Dinkelacker. The motion passed with a 5-0 voice vote. The Ordinance was assigned number ORD 10-39. The Mayor stated that Mr. Waters has already approved the contract as to form and the ordinance was being held until the two public hearings were finished. Mayor Keller noted that he has signed the original contract and will give it to the Clerk to have Eagle Energy sign it, and give us an fully executed copy. Ms. Zech made a motion to suspend the rules, seconded by Mr. Sunderhaus. A roll call vote was taken and the motion passed with a 5-0 vote. There was no further discussion on the matter. Mr. Sunderhaus made a motion to adopt, seconded by Mr. McGowan. A roll call vote was taken and the motion passed with a 5-0 vote. Ordinance 10-39 is hereby adopted.

Mr. Dinkelacker made a motion to introduce a Resolution *To Approve a Memo of Understanding with Green Township regarding a JEDD for the Mercy Hospital*. Mayor Keller informed Council and the Public that the Memorandum of Understanding outlines the agreement the City of Cheviot has reached with Green Township. The agreement has been reviewed with Council in Executive Session. Mr. Waters has the agreement and summarized it for Council and the Public. Mr. Waters has approved it only as to it's legal form. Mercy Hospital will construct a new hospital on North Bend Road. Cheviot and the Township will enter into a JEDD and assess an 2.0% earnings tax. Cheviot will receive 10% for the first ten years and 20% thereafter until the terms of the JEDD expire. This agreement does not create the JEDD it is just a preliminary agreement as to what the basic terms will be. Mr. Dinkelacker made a motion to introduce, seconded by Mr. McGowan. The resolution was assigned number RES 10-16. A voice vote was taken, Mr. Zech voting against, the resolution is adopted with a 4-1 vote. Mr. Waters stated he will have the formal written copy of the resolution at the next regular Council meeting.

### **Mayor's Report**

Mayor Keller announced that Bob Klein has been chosen as the City's next Fire Chief. He will begin training with Chief Clark and will officially start January 8, 2011. The Mayor stated that both candidates did exceptionally well on the exam and he offers congratulations to both.

The Mayor stated that he met with Ms. Statkus and Mr. Tom Braun earlier in the evening. A wide variety of City issues were discussed. Council's approval will be sought to establish the CRA's for some upcoming businesses.

The final interview for the police entrance exam has been completed. There are 8 candidates to choose from and the new officer should expect to start January 1, 2011. The fire department selection is a bit behind, but the Mayor will keep Council informed.

There were no questions for Mayor Keller.

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

Mr. Tom Braun informed Council that the application submitted for the Ohio Lighting incentive program was approved. The City has already received a check for \$1575.00. Mr. Braun is still waiting to hear back from Duke concerning the traffic signals.

Mr. Braun informed council and the public that public works is still picking up leaves. 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. Public Works will continue to collect leaves until December 10, 2010. Yard waste collection will only be on Friday's starting December 1, 2010 until April 1, 2011.

The City participated in the DROP program on November 13, 2010. This program was used to dispose of prescription drugs that were no longer needed to keep them out of the water supply. The police department collected approximately 60-80 pounds of unwanted prescription and over the counter medications.

Mayor Keller announced the City Disaster Tabletop exercise will be December 15, 2010 at 10:00am. All of Council is invited. By participating in these exercises, the City can be prepared to handle emergencies. The City can receive federal funding for handling disasters quickly. Cheviot was reimbursed for the past wind and ice storms.

There were no questions for the Safety-Service Director.

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

Mr. Waters stated that the resolution for Water Works will be available at the next regular Council meeting. The resolution needs to be passed before the end of the year.

There were no questions for the Law Director.

### **Economic Development Director's Report - October 2010**

Clerk McKinney read a report from the Economic Development Director, Ms. Caroline Statkus, into the record. A copy of this report is on file at City Hall and available upon request.

### **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 called a meeting of the Police and Fire Committee for Tuesday November 23, 2010 at 6:30pm to discuss the purchase of a new ambulance and possible grants the city may obtain.

Mr. Sunderhaus introduced the man behind the camera, Mr. Joe Schuster, who has contracted with the City to videotape our meetings. When it is decided what time the meetings will air on public access, Mr. Sunderhaus will request the City to post it on the marquee in front of City hall and the Field House. Mr. Sunderhaus will also contact the press. Mr. Schuster said that Green Township will place it on their marquee as well.

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

Council received a copy of the Mayor's Court Receipts for October 2010. A motion to receive and file was made by Ms. Zech, seconded by Mr. Dinkelacker. The motion passed with a 5-0 voice vote.

**Correspondence**

- No New Business Permits issued by the Fire Department for October 2010
- Permits/Licenses issued by the Building Dept. for October 2010
- 4 notices from the Building Department
- 3 Property Maintenance Reports
- Invitation to the City Disaster Tabletop Exercise 12/15/10

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. McGowan. The motion passed with a 5-0 voice vote. The meeting adjourned at 8:10pm.

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Rachel A. McKinney  
Clerk of Council

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Deborah M. McKinney  
President of Council