

Minutes of City Council Meeting Cheviot, Ohio

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December 7, 2010

The regular session of Council was called to order at 7:32P.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

President McKinney stated there was an Ordinance to Amend the Appropriations and an ordinance approving the contract with Water Works. A motion to approve and file the minutes for November 16, 2010 was made by Mr. Dinkelacker, seconded by Mr. McGowan. 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

Mr. Sunderhaus read a report of the Police and Fire Committee meeting held November 23, 2010. Mr. Sunderhaus 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. McGowan made a motion to introduce an Ordinance *To Amend the 2010 Annual Appropriations; and to Declare an Emergency*. Mr. McGowan stated that all members of Council should have received an email about the changes. Mr. McGowan made a motion to introduce, seconded by Mr. Sunderhaus. The motion passed with a 7-0 voice vote. The Ordinance was assigned number ORD 10-40. Ms. Zech 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. Mr. Dinkelacker questioned if the Bridgetown Road construction was additional to what we had projected. Mr. Tom Braun explained that we are given the money up-front and have to pay back the difference. We were then allowed to pay for the engineering out of the additional money given to us. Mr. McGowan made a motion to adopt, seconded by Mr. Clark. A roll call vote was taken and the motion passed with a 7-0 vote. Ordinance 10-40 is hereby adopted.

Mr. Sunderhaus made a motion to introduce an Ordinance *To Approve a Contract Extension with Greater Cincinnati Water Works; and To Declare an Emergency*. Mr. Sunderhaus noted Article 6 which refers to a successor water district. It has been previously noted that the City of Cincinnati may part ways with Water Works in the future. Mr. Sunderhaus made a motion to introduce, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote. The Ordinance was assigned number ORD 10-41. Mr. Sunderhaus 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 confirmed with the Law Director that any successor will abide will all terms of the agreement. Mr. Waters confirmed that the agreement will be binding. The law director also noted that the City of Cincinnati passed a similar resolution. Mr. Clark asked about the expiration time of the contract. Mr. Waters stated that the existing agreement was entered into in 1987 and was a 30 year agreement. By the terms of that agreement, the City could extend it another 30 years but had to do so by the end of 2010. Otherwise the City would have to let the agreement expire in 2017. The City has locked in the current terms. 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 10-41 is hereby adopted.

Mayor's Report

Mayor Keller noted that police interviews will wrap up on Thursday. Mayor Keller wanted to thank the Police Chief, Safety-Service Director and all 3 Police Sergeant for being part of the process. On Friday, an offer will be extended to one of the six remaining candidates. The City can hold onto the records of the remaining candidates to extend any further offers within the next year.

The retirement party for Chief Clark will be January 7, 2011 at Harvest Home Lodge from 4-7p.m. Robert Klein will be sworn in as the City's new Fire Chief on January 8, 2011. There is a captain's exam that morning and will not be done testing until approximately 11:30a.m., so the swearing in will not be until 12:30p.m.

The physical agility test for the fire department will be shortly. In the past week, one of our firefighters submitted his resignation so there will be two positions available.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Tom Braun thanked all who attending the nativity scene dedication. Everything worked out well.

Mr. Braun stated that the City did apply of a State Capital Improvement Grant for the reconstruction of Glenmore Avenue, from Harrison Avenue to the Cincinnati Corporation Line. The City was awarded the grant. The project estimate is \$715,000, of which the City is only required to pay 10% plus the engineering. Mr. Braun will need permission to continue with this project and the engineer to draw up plans.

Mr. Braun informed Council that he has a copy of the 2011 First Quarter Appropriations if anyone needs to review it. He will forward a copy along to the Finance Chair, Mr. McGowan.

Mayor Keller wanted to publically thank the Auto Zone for hosting the scene once again.

Mr. Sunderhaus asked Mr. Tom Braun when the last day for leaf removal will be. Mr. Braun informed Council and the public that it was supposed to be the following Friday but due to the snow, that may be extended. The crews will try to get it all done. Mr. Waters asked if there was going to be anything for the Christmas Trees. Mr. Braun stated they should just be left out on Fridays with the normal yard waste.

There were no further questions for the Safety-Service Director.

Law Director's Report

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

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 announced that the Council Meetings are now being recorded and replayed on Public Access Sundays at 12:00am, Tuesdays at 7:30pm, Wednesdays at 9:00pm and Thursdays at 11:00am. He will notify the press as well as putting the dates on the marquee, and listing it on the City's website.

Mr. Zech called a meeting of the Internal Affairs Committee for Tuesday December 14, 2010 at 6:00pm to discuss the WEBE music property.

Mr. Zech called a meeting of the Parks and Playgrounds Committee for Tuesday December 14, 2010 at 6:30pm to discuss recreation rates.

Mr. McGowan called a meeting of the Finance Committee for Tuesday December 14, 2010 at 7:00pm to review the 2011 First Quarter Appropriations. Mr. McGowan asked that the Mayor and Safety-Service Director be available by phone if any questions arise.

Mr. Steve Braun called a meeting of the Building and Annexation Committee for Tuesday December 14, 2010 at 7:30pm to discuss the CRA.

Mayor Keller stated the Resolutions concerning the CRA's needed to be passed rather quickly. Mayor Keller fears that the delay in passing the resolutions will delay the whole process of forwarding them onto the Board of Education and the County Commissioners. Mayor Keller requested that Council pass them this evening. Ms. Zech stated that legislation has been handed out for passage the day of meetings with no prior warning. Ms. Zech stated there is an agenda for a reason, so this doesn't happen. Mayor Keller accepted the blame that this was not previously communicated to Council. The Mayor stated that the CRA's were developed by Council originally. President McKinney stated that the people mentioned in the Resolution have not been discussed by Council. These are people recommended to take a seat on the City's Tax Incentive Review Council. Mr. McGowan asked for a brief bio of each suggested member. There was much discussion as to how these representatives were chosen and by whom. In addition to the three members selected by the County Commission, there shall be one member appointed by the Cincinnati School Board and two by the Mayor with the approval of Council. Mr. McGowan stated that after discussion he is okay with voting on the Resolutions. Mayor Keller explained the role of the members of the T.I.R.C. and why each suggested member would be qualified. He also explained the process the Council will take for each property. Many questions followed with much discussion on the benefits of the CRA's.

Resolutions

Mr. McGowan made a motion to introduce a Resolution *To Authorize the Appointment of Certain Members of the Tax Incentive Review Council; and to Declare an Emergency*. Mr. McGowan made a motion to introduce, seconded by Mr. Steve Braun. The resolution was assigned RES 10-17. A voice voted was taken and passed with a 7-0 vote. Resolution 10-17 is hereby adopted.

Mr. McGowan made a motion to introduce a Resolution *To Request that the Cincinnati School Board Appoint a Member of the Tax Incentive Review Council; and to Declare an Emergency*. Mr. McGowan made a motion to introduce, seconded by Ms. Zech. The resolution was assigned RES 10-18. A voice voted was taken and passed with a 7-0 vote. Resolution 10-18 is hereby adopted.

President McKinney noted a typo on each of the resolutions in which Clerk McKinney will fix.

Mr. Braun said the Committee will still meet to discuss the two remaining appointments by the Mayor.

Additional Other Business

President McKinney thanked Mr. Jim Babey for his nice donation of candy to the Council Members.

Mr. Sunderhaus reminded Council of the Tabletop Exercise to be held December 15, 2010 in the Fire Department.

Mayor Keller reminded Council and the Public of the Community Christmas Party sponsored by the CFA, CPA and the City. The party will be held at the Cheviot Field House from 1-3pm.

Mayor's Court and Treasurer's Receipts

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

Correspondence

-Notice and Application Duke has filed to increase rates

-1 Property Maintenance Report

There was a motion to adjourn the meeting by Mr. McGowan, seconded by Ms. Zech. The motion passed with a 7-0 voice vote. The meeting adjourned at 8:18pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council