

## Minutes of City Council Meeting Cheviot, Ohio

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July 5, 2011

The regular session of Council was called to order at 7:45P.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	James Sunderhaus
Council 4 <sup>th</sup> Ward	Bill Clark
Council at Large	Dennis Dinkelacker
Council at Large	Steven Braun
Council at Large	Kathleen Zech

The Clerk of Council stated she was unable to complete the minutes from the last meeting due to computer issues and would have them available for passage at the next meeting.

### **Department Reports**

Clerk McKinney read a report of the Economic Development Director, Ms. Caroline Statkus for June 2011. The report can be viewed upon request at City Hall.

### **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 June 28, 2011. Ms. Zech made a motion to receive and file, seconded by Mr. McGowan. The motion passed with a 7-0 voice vote.

Ms. Zech introduced an Ordinance concerning the regulation of Internet Sweepstakes Cafes. The Ordinance is still in draft form and will just be introduced this evening. The Ordinance is based upon the current ordinance in the Cuyahoga Heights Village, Ohio. The ordinance addresses several items including hours of operation, the license application and requirements, license fees, prohibited conduct etc. A motion to introduce was made by Ms. Zech, seconded by Mr. Sunderhaus. The motion passed with a 7-0 voice vote. The Ordinance was assigned ORD 11-16. This hereby constitutes the first reading of ORD 11-16.

Ms. Zech called a meeting of the Laws, Rules and Ordinances Committee for July 6, 2011 at 6:30pm to discuss the Internet Sweepstakes Café. A Special Council meeting is also scheduled for that date at 7:00pm to possibly pass legislation concerning the Café.

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

Mr. McGowan made a motion to introduce an Ordinance *To Amend the 2011 Annual Budget Appropriations; and to Declare an Emergency*. Mr. McGowan explained the transfer is related to the Fieldhouse repair. Mr. McGowan made a motion to introduce, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote. The Ordinance was assigned number ORD 11-17. 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 7-0 vote. There was no discussion on the matter. Mr. Zech 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 11-17 is hereby adopted.

Mr. McGowan made a motion to introduce an Ordinance *To Amend the 2011 Annual Budget Appropriations; and to Declare an Emergency*. When a city receives over \$500,000 in funds from the federal government, there is a special audit that must take place. This transfer is to cover the costs of that audit. The Ordinance is being introduced by title only as Mr. Waters will later draft the hard copy form. Mr. McGowan made a motion to introduce, seconded by Mr. Zech. The motion passed with a 7-0 voice vote. The Ordinance was assigned number ORD 11-18. Mr. Sunderhaus made a motion to suspend the rules, seconded by Ms. Zech. A roll call vote was taken and the motion passed with a 7-0 vote. There was no discussion on the matter. Mr. Zech made a motion to adopt, seconded by Mr. McGowan. A roll call vote was taken and the motion passed with a 7-0 vote. Ordinance 11-18 is hereby adopted.

Mr. McGowan made a motion to introduce an Ordinance *To Approve the Projected Year 2012 Tax Budget for the City of Cheviot, Ohio; and to Declare an Emergency*. A Public Hearing was held on this matter before the Council meeting. Mr. McGowan stated the City will be receiving less money through property taxes as well as through the state. Mr. McGowan made a motion to introduce, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote. The Ordinance was assigned number ORD 11-19. Mr. Sunderhaus made a motion to suspend the rules, seconded by Mr. Braun. A roll call vote was taken and the motion passed with a 7-0 vote. Mayor Keller noted the City will see a decrease in revenue of approximately \$180,000 in 2012 and \$380,000 in 2013. The City will be investigating this revenue decrease and how to adjust. Mayor Keller continued to discuss the various options. 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 11-19 is hereby adopted.

Mr. McGowan made a motion to introduce a Resolution *To Request that the Hamilton County Auditor Certify to the City of Cheviot the Tax Levy Calculations Enumerated in Section 5705.03(B) of The Ohio Revised Code; And to Declare an Emergency*. Mr. McGowan stated this was for a renewal of the current 3.00 mill expense levy, no increase. Mr. McGowan made a motion to introduce, seconded by Mr. Sunderhaus. The motion passed with a 7-0 voice vote. The Resolution was assigned number RES 11-06 and is hereby adopted.

Mr. McGowan made a motion to introduce a Resolution *To Request that the Hamilton County Auditor Certify to the City of Cheviot the Tax Levy Calculations Enumerated in Section 5705.03(B) of The Ohio Revised Code; And to Declare an Emergency*. Mr. McGowan stated this was for a renewal of the current 1.50 mill street levy, no increase. Mr. McGowan made a motion to introduce, seconded by Ms. Zech. The motion passed with a 7-0 voice vote. The Resolution was assigned number RES 11-07 and is hereby adopted.

Mr. Waters will draft both formal resolutions for the renewal levies and Clerk McKinney will file them along with the projected tax budget with the Hamilton County Auditor.

### **Mayor's Report**

Mayor Keller informed Council of another program like the \$1 homes Cheviot participated in the past. A home on Carrie Avenue is available for purchase July 6, 2011. The sale price is not a \$1 but still substantially reduced. The Mayor would like the previous ordinance addressing this issue to be extended to allow the Mayor and the Safety-Service Director jointly to purchase on behalf of Council. Mayor Keller believes we can purchase some homes at a really great price, fix them up and then sell them to permanent residents. All funds for this project feed back into the same fund. Mayor Keller has requested Mr. Waters to draw up an ordinance. The subject will be discussed by Mr. Steve Braun's Building and Annexation Committee.

There were no questions for Mayor Keller.

**Safety-Service Director's Report**

Mr. Braun stated The Cheviot Fieldhouse problems are still being investigated and is turning into a serious situation. He is still investigating the problems. Mayor Keller commented that The Fieldhouse has major structural problems and could be quite expensive. Ms. Statkus is looking into possible grants for the project.

There were no questions for the Safety-Service Director.

**Law Director's Report**

Mr. Waters received a public records request in regards to cell phone towers. He will respond.

The Applications for the 2008 transfers have been filed with the Court of Common Pleas, to retroactively approve those transfers. Mr. Waters does not know what the court will do at this time. The applications were filed last week.

The answer is not yet filed in the case against the City by the Monfort Heights Supply Company. Mr. Waters is obtaining additional information from the Building Department.

There were no further questions for the Law Director.

**Public Recognition on Other Issues**

John Netzley from The Drama Workshop updated Council on their plan to purchase the former Glenmore Bowl Building. Negotiations are continuing and Mr. Netzley will stay after Council to address any questions.

**Mayor's Court Receipts**

Council received a copy of the Mayor's Court Receipts for June 2011. Ms. Zech made a motion to receive and file, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote.

**Correspondence**

-Report from the Building Dept on all licenses and permits issued in May 2011

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. McGowan. The motion passed with a 7-0 voice vote. The meeting adjourned at 8:22pm.

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Rachel A. McKinney  
Clerk of Council

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Deborah M. McKinney  
President of Council