

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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January 17, 2006

The regular session of Council was called to order at 7:31 P.M. with the Pledge of Allegiance and a moment of prayer. Roll call was taken and the following were found in attendance:

Mayor	Samuel D. Keller
President of Council	Michael J. Mestemaker
Law Director	Mark G. Waters
Safety Service Director	Steven O. Neal
Council 1 st Ward	Ryan T. Zech
Council 2 nd Ward	Dennis T. Dinkelacker
Council 3 rd Ward	James F. Sunderhaus
Council 4 th Ward	Greg J. Stautberg
Council at Large	Kathleen S. Zech
Council at Large	Charles L. Norman
Council at Large	Steven L. Braun

The minutes of January 1st, 2006 were approved. President Mestemaker called for the reports that would be presented.

Recognition of the Public

Ms. Chris Baker, representing the Cheviot-Westwood Community Association (CWCA), welcomed all the new members to Council, as well as currently seated members of the previous council back. She then presented a list of ideas that CWCA would like to see addressed in the upcoming year to President Mestemaker, and spoke to Council about CWCA's mission. She informed Council that, among other things, CWCA hosts a banquet to award young citizens of the area for outstanding achievement and civic involvement, that they are currently looking into sponsoring a "Party in the Park" in addition to the Westside Street Fest and Cheviot Nativity Scene which they also sponsor, and that they are active with various City Government Committees and do a lot of other work to help the City, often at the request of Council. She mentioned that the current owner of the cemetery on Harrison Ave. was interested in donating it to the City, and that CWCA would take the lead in maintaining it. Mayor Keller thanked CWCA for all the hard work they do for the city, but added that due to various legal issues, any movement on taking over the cemetery would be slow, deliberate, and difficult. Ms. Baker indicated that the CWCA would still be interested in maintaining the cemetery. Mayor Keller thanked them and agreed that would be a good idea. Ms. Baker thanked Council for appointing Mr. Zech as the CWCA Liaison, and added that she thought this would help to ensure their concerns were better addressed. She then went on to address further concerns of the CWCA, including work on the business district and a Community Reinvestment Area, which was discussed by the previous Council. Mr. Neal informed her that the Community Reinvestment area did exist, but added that he is still working on garnering further support for it from some members of the business community. Ms. Baker suggested possibly advertising the Community Reinvestment Area to help gain more support. She then asked Mr. Dinkelacker about a 5-Year Comprehensive Business Plan which he had mentioned at a previous meeting. Mr. Dinkelacker let her know that it is in the works and that he plans to set up a public meeting soon on the issue. Ms. Baker also said that CWCA would like to see Council complete work on the Sign Ordinance they have been working on, address beautification of the business district as well as selling the business district outside of Cheviot. President Mestemaker let her know that this was one reason why Council appointed Mr. Zech as the CWCA Liaison, and encouraged all of Council to join CWCA. Ms. Baker then addressed concerns about the residential areas, specifically Section 8/HUD housing, noting that CWCA supported the idea, but was concerned with upkeep and the overall amount of these properties in Cheviot in proportion to its size, which Mr. Neal indicated he would address in his report. Ms. Baker asked about a possible citizen's complaint system, to which Mr. Neal noted that all such complaints should go to him. Ms. Baker then asked Mayor Keller about the possibility of insurance for the various activities they support, such as the Westside Street Fest. Mayor Keller and Mr. Neal informed her that such an investigation is in progress and that council will be passing an ordinance tonight to help address the issue, and that CWCA will be involved in the process. Mayor Keller also let CWCA know about plans to enforce minimum housing standards in Cheviot by appointing two housing officers, Mr. Neal and Public Works Superintendent Tom Braun, to oversee enforcement. He let everyone know that Cheviot's biggest issue in housing is with

absentee landlords, as some properties are owned by LLC's across the nation, but adds that the new plan to enforce minimum housing standards through the new housing officers will make a tremendous difference. Mayor Keller then thanked all CWCA members for their attendance and support.

Safety-Service Director's Report

Mr. Neal reported that he forwarded a list of delinquent property owners who failed to pay the garbage fee, as well as other fees to, Mr. Waters, but added the fact that some of the property owners lived out of state makes some collections difficult. He noted that the current list contains roughly 275 residential property owners and 14 businesses, which comes to approximately 6-7% of the bills the City sends out, which he indicated was about average for most cities. As of today, Mr. Neal said \$319,331.12 has been collected, and added that the new ordinance that Mr. Waters is working on will bring in an additional \$36,072, along with \$2,110 from property assessments. Mr. Neal wished to recognize Mrs. Teresa Sunderhaus, the Mayor's Secretary, for all her hard work in helping to collect the garbage fees, noting that such a large task could not have been successful without her. Mr. Neal then asked Council for its support on the ordinance that will allow him to advertise for bids for property, casualty, automotive, and blanket liability insurance coverage for the City. He then confirmed that the City will receive State money to complete the Gamble/Everett Avenue Road Project. The total cost of the project will be \$343,000 with the State contributing \$218,400. He added that the project will commence at the beginning of July. Mr. Neal also asked Council's permission to proceed with the 2006 Street Improvements, which will include Lovell Avenue from Harrison Avenue to Harding Avenue, Darwin Avenue from Glenmore Avenue to Mayfair Avenue, and Dina Avenue from Glenmore Avenue to Dina Terrace. He then indicated that a major priority of his for this year is renovation of the Cheviot Fieldhouse Building. He asked Council for permission to bid this project, as well as add an option to the Street Improvement bids to receive a price to resurface and reline the Fieldhouse parking lot, adding that doing this now would save the City money. He also plans to ask Council for an ordinance authorizing him to seek bids for the improvement of the outside of the Cheviot Fieldhouse Building. Mr. Neal informed Council that, with the assistance of State Rep. Driehaus, he is filing an application with the Ohio Historic Preservation Office to see if the Cheviot Fieldhouse will qualify for the National Register of Historic Places. He also announced a meeting with State Rep. Driehaus on Friday, January 20th at 9am to discuss property maintenance and other issues important to the City. He encouraged Council, the CWCA, and the public to attend. Council then authorized Mr. Neal to move forward on the 2006 Street Improvements, which passed 7-0 by a voice vote.

Mayor's Report

Mayor Keller presented the State of the City address. He reported that Cheviot ended 2005 in the black despite tight budgets. He commended all of the City's Department heads, as well as every City Employee, for their spending restraint and for doing all they could to help cut and defray costs. Mayor Keller pointed out that in February 2005, Cheviot voters passed an very important tax levy which yielded much needed tax dollars for the City Operations in 2006. He thanked the voters for the confidence they have shown in him, their other elected officials and City Employees, and pledged to work with Council to maximize to the fullest extent each and every dollar that the City utilizes. He reminded everyone that Paramedic service was started in our Fire Department for the first time ever in 2005, and that many lives were saved as a result. He commended Fire Chief Donald Clark for his work managing the schedule to maintain the service of one of the City's full-time fire-fighters who was off work with an injury, and added that the Fire Department received a \$40,000 grant thanks to the hard work of Lt. Gannon, which will be used to purchase much needed equipment for the Fire Department. He then commended Police Chief Voss and the entire Police Department for continuing to provide a high quality of service while keeping the streets safe, and added that the Department is now fully staffed. He added that Chief Voss has done all this while remaining within budget. He asked Council for its help in addressing Police Staffing within the budget. He commended the Public Works Superintendent Tom Braun and the entire Public Works department for continuing to provide outstanding service to the residents of Cheviot, despite being short staffed. He then thanked the 2005 City Council and Staff for all the hard work and support they have provided the City Administration, despite many obstacles; the City Administration itself for it's hard work; the business owner and residents who serve on various boards and commissions for the City; Safety Services Director Steven Neal, who he called "the glue that holds the City of Cheviot together" for all he does for the City of Cheviot; and the individuals and civic groups who helped with improvements to the

Cheviot Fieldhouse, the purchase of a new early warning siren atop City Hall, as well as their work on the Westside Streetfest and Harvest Home Fair. He then challenged all City Officials to live up to the high standards of their predecessors.

Law Director's Report

Mr. Waters presented his State of the City address as well. There was only one major piece of litigation that the City was involved in during 2005. The case, which involved a search and forced entry into an apartment on Harrison Avenue during a police investigation, was resolved on summary judgment in a U.S. District Court with absolutely no liability to the City of Cheviot, its Officials or Police Officers. Mr. Waters discussed Mayor's Court, which meets for a regular docket twice a month and provides some additional financial support to the City and the Police Department. He also informed Council that revenue generated by the Court did increase in 2005 from the previous year. He informed Council that he attends a monthly City Solicitors meeting, sponsored by the Cincinnati Bar Association, where Law Directors from different municipalities get together to discuss and exchange different ideas that can benefit their communities. He informed council that the Ohio State Legislature had recently passed a new law prohibiting convicted sex offenders from living within 1,000 feet of a school, and indicated that one person has moved out of Cheviot as a result. He also informed Council of another person who is currently in the process of being removed. He informed Council that his Office did not collect any money in 2005, and that any money collected as a result of any collection suit that his office files gets paid directly to the City Treasurer. Mr. Waters informed Council that he will be directly involved in the wage negotiations with the City's Labor Unions in the coming year, and that he will be working closely with the Mayor to ensure fair contracts for the City as well as its employees. There is one collection lawsuit currently being pursued that will be settled soon in a manner favorable to the City. There is also one ordinance currently being worked on by his Office to obtain membership for the City in the Regional Planning Commission.

Committee Reports

Ward 1 - Mr. Zech had no formal report, but mentioned that he is looking forward to working with the CWCA as their Liaison to Council. He then asked Mr. Neal about a metal plate on North Bend Road near the City Line. He stated that a few residents have asked him what it is there for and how much longer it will be there. Mr. Neal said it likely belongs to the Metropolitan Sewer District or the Cincinnati Water Works, but he will find out for sure and report back to Mr. Zech.

Ward 2 - Mr. Dinkelacker had no formal report, but reported to Council, the City Administration, as well as the CWCA his intention to call an External Affairs Committee meeting to discuss the Economic Development Plan at Council's regular meeting on February 7th 2006. He also reminded everyone of the Cheviot Shootout Basketball Tournament at the Cheviot Fieldhouse this weekend, which also runs for the next 5 weeks.

Ward 3 - Mr. Sunderhaus had no formal report, but indicated he would set up a meeting with Police Chief Voss and Fire Chief Clark to go over the staffing issues that Mayor Keller addressed earlier in the meeting. He added that if the meeting was before the next regular Council meeting, he would make sure the date and time were published in the local press.

Ward 4 - Mr. Stautberg had no formal report.

Council at Large - Mrs. Zech had no formal report, but did verify that the Sign Ordinance is now in the hands of the Law Director. She also called a meeting of the Laws, Rules and Ordinance Committee for Tuesday, January 24th at 6:30 P.M. She also announced that she had received correspondence from the Clerk of Courts Susan Morganroth that a new House Bill is in the works that will allow fees to be assessed to defendants in Mayor's Court's for services performed by Police Departments, such as serving subpoenas or testifying in Court. Mayor Keller commended Mrs. Zech, the LRO Committee, and the CWCA for all their hard work and time spent on the Sign Ordinance. Mrs. Zech also thanked the CWCA, noting that their involvement made it happen.

Council at Large - Mr. Norman had no formal report, but called a meeting of the Building and Annexation Committee for Tuesday, January 24th at 6 P.M.

Council at Large - Mr. Braun had no formal report. Mr. Braun made a motion *To Authorize And Direct The Safety-Service Director To Advertise For Bids For Property, Casualty, Automotive, And Blanket Liability Insurance Coverage; And To Declare An Emergency* with a second from Mr. Norman. The motion carried 7-0 by voice vote and was assigned as ORD 06-02. Mr. Zech made a motion to suspend the rules with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion to adopt with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote.

Further Business

A request was received from the State Fire Marshals Office for two volunteers from Council to be on the Board of The Volunteer Firefighters Defendants Fund. Mr. Sunderhaus and Mr. Norman volunteered, and Mr. Neal said that he would take care of sending their paperwork to the State Fire Marshals Office.

Mr. Sunderhaus made a motion to approve the 2006 Committee Assignments with a second from Mr. Zech. The motion passed 7-0 by voice vote. Mrs. Zech made a motion to receive and file the December 2005 Mayor's Court Receipts with a second from Mr. Stautberg. The motion passed 7-0 by voice vote.

Correspondence

A Christmas card was received from Julie Hendricks, the young lady who donated her Baby Jesus statue to the City in December. A letter from the Ohio Municipal League was received informing Council of seminars it was holding for newly elected officials, as well as a request for an updated roster of City Officials, which has been returned to them. Two Ohio Municipal League Bulletins were also received. A request was received from OKI for an updated roster of City Officials, which has been returned to them as well. Newsletters from the Ohio Police and Fire Pension Fund, Mill Creek Watershed Council of Committees, and the CWCA were received. Finally, the Ohio Ethics Commission Registration Forms were placed in everyone's box.

There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Zech. The motion passed 7-0 by voice vote. The meeting adjourned at 8:34 P.M.

Matthew D. McGowan
Clerk of Council

Michael J. Mestemaker
President of Council