

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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January 20, 2004

The regular session of Council was called to order at 7:32 P.M. with the Pledge of Allegiance and a moment of prayer. Mr. Morganroth resigned his position as Council 3rd Ward after the January 1, 2004 meeting and was re-appointed as President of Council to finish out the term that Mr. Keller had vacated when he took office as Mayor of Cheviot. Mr. Morganroth interrupted the normal proceedings so that Mayor Keller could swear in Mr. James Sunderhaus. Mr. Sunderhaus is succeeding Mr. Morganroth as the Council 3rd Ward member. Mr. Sunderhaus took his seat and was welcomed by Council. Roll call was taken and the following were found in attendance:

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

The minutes of December 16, 2003 and January 1, 2004 were approved. President Morganroth called for the reports that would be presented.

Recognition of the Public

No one in attendance wished to address Council.

Safety-Service Director's Report

Mr. Neal reported that he forwarded a needed addendum to Council for the cost of waste collection disposal. For 2004 Rumpke is requesting a 3.2% increase which will be an increase of \$0.25 per yard. He recommends that Council accept this rate. Mr. Neal requested a meeting of the Streets Committee to discuss the 2004 street repairs. Mr. Mestemaker suggested that he would call one during his report. Mr. Neal reported that in the summer of 2003 former Mayor Laumann requested that more should be done to investigate drug use/sales in the City of Cheviot. Mr. Neal read a report into record about a recent drug sting and subsequent arrests, the report is on file. Mr. Neal reported that the homicide case is before the Grand Jury this week. Police Chief Voss sent a report to Mr. Neal which showed a decrease of 17.5% in crime in 2003 despite the homicide case. Finally Mr. Neal congratulated Mr. Morganroth for receiving the Cheviot Fire Association Ring Award, which is awarded to the outstanding member. Mr. Mestemaker asked if the RENU program (which was used in the drug bust) cost the City anything. Mr. Neal responded that it did not, that this was a State of Ohio program which was covered by the State budget. Mr. Mestemaker then asked if RENU was going to continued to be involved in Cheviot. Mr. Neal explained that RENU was for dealing with large drug problems not individual cases which are more typical in Cheviot. There was much discussion. Mr. Norman requested a copy of the report from Mr. Neal which he said he would be glad to supply.

Mayor's Report

Mayor Keller presented the State of the City address. He reported that Cheviot ended 2003 in the black with \$311,607 remaining in the general fund which was an increase of approximately \$127,000 over 2002. Some of this was due to more than anticipated inheritance tax revenues. He commended former Mayor Laumann, Safety Service Director Steve Neal, the Cheviot City Council, and all of the City's Department heads for their spending restraint and cooperation in keeping Cheviot operating in the black. Mayor Keller explained that all of this had been accomplished with out raising taxes since the early 1980's. He added that it is important for the City to stay with in the budget and that it must stay with in the

budget while continuing top notch service. Mayor Keller explained that while he's excited to serve as the Mayor of Cheviot, he's also a little apprehensive as he has much to learn. He is confident that things will progress as he feels he has surrounded himself with good people. He announced that a City Leadership team has been created from most of the department heads, members of Council, and other City employees so that every department and division can help direct the City in the correct direction.

Law Director's Report

Mr. Waters presented his State of the City address as well. He did not collect any money in 2003 through his department, although he did work on 6 cases for the Cheviot Tax Office. Of the 6, only 1 has worked out a settlement, the other 5 are in default. The Homicide case is expected to go before the Grand Jury on January 22, 2004. Any arrests pertaining to that case will be made following the indictment. The case involving the Cheviot Police officers which has gone to Federal Court over Civil Rights violations is still on going, and looks if it would go to trial it would be sometime in 2005. Mr. Waters informed Council that they should have received the Ordinance which updates Cheviot's Traffic Codes to the new State Codes. American Legal Publishing took care of putting together and publishing these Ordinances for Cheviot. Mr. Waters also mentioned that the Ohio Police and Fire Pension Fund sent a letter and that the Auditor is overlooking the proposed Resolution. Mr. Neal asked about the timeline for the homicide. Mr. Waters said that it could vary for a number of reasons, and that probably be no less than 1 day or much longer than 2 weeks before there is an indictment.

Committee Reports

Ward 1 - Mr. Murray reported that he had received an email pertaining to the lottery taxes that South Euclid, OH will not receive since it had not added lottery winnings as taxable income in the City codes. Mrs. Zech added that the Clerk of Council had also placed a news article about the same issue in everyone's mailbox. Mr. Waters explained that he did not believe that this would affect Cheviot since Cheviot is a statutory form of government, where South Euclid was a charter form of government. Mr. Murray and Mr. Neal said that they spoke with the Tax Commissioner and they believe that we currently do not have the laws in place which would allow Cheviot to tax lottery income. There was much discussion. Finally Mr. Murray inquired when the Christmas Trees at Harvest Home Park would be mulched. The answer was sometime in February.

Ward 2 - Mr. Dinkelacker reported that the Metropolitan Sewer District had begun its program to correct water in basement (W.I.B.) issues. They have set up a 24 hour hotline to take complaints of W.I.B. issues and they dispatch someone to inspect it with in a reasonable amount of time. At this point in time the repairs to chronic problem houses have not begun. Mr. Dinkelacker wanted to remind the public that the Cheviot Fireman's Association Cheviot Shootout Grade School Basketball Tournament was scheduled to begin on Friday, January 23 at 5:00 P.M.

Ward 3 - Mr. Sunderhaus had no report as this was his first meeting. He addressed Council and the public by saying that he would like to thank God, Mayor Keller, his wife Teresa, his children Teresa, Kurt, Nick, Kristin, Mary Clare, and Monica. He also wanted to thank his parents and brothers Doug and Kevin, his mother-in-law Helen, and his aunts Eileen and Sara. Mr. Sunderhaus explained that he and his wife have lived in Cheviot since 1985. He stated that he looks forward to working with the residents. Mrs. Zech welcomed Mr. Sunderhaus to Council.

Ward 4 - Mrs. Gooch made a request that Council get new a new chair for Mr. Sunderhaus since the one he was sitting in kept sinking. Mrs. Gooch made a motion *To Amend The First Quarter, 2004, Appropriations; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion passed 7-0 by voice vote and was assigned as ORD04-03. Mr. Murray made a motion to suspend the rules. Mr. Mestemaker made a second to the motion. The motion carried 7-0 by roll call vote. Mr. Dinkelacker made a motion to adopt with a second from Mrs. Zech. The motion passed 7-0 by roll call vote. Mr. Mestemaker asked if Mrs. Gooch would call a meeting of the Schools Committee to try and update the residents of Roswell on the Cheviot School renovations. Mrs. Gooch said she needs to do some research before she would call the meeting.

Council at Large - Mr. Mestemaker welcomed Mr. Sunderhaus to Council. He called a meeting of the Streets, Sidewalks and Lights Committee on Tuesday, January 27, 2004 at 6:00 P.M. at Cheviot City Hall to discuss curbside recycling and the 2004 Street Repairs. Mr. Mestemaker made a motion *To Authorize The Safety-Service Director To Enter Into A Contract With Rumpke, Inc. For The Disposal Of The City's Solid Waste, And To Declare An Emergency* with a second from Mr. Norman. The motion passed 7-0 by voice vote and was assigned ORD04-04. Mr. Murray made a motion to suspend the rules with a second from Mrs. Gooch. The motion passed 7-0 by roll call vote. Mr. Mestemaker made a motion to adopt with a second from Mr. Dinkelacker. The motion passed 7-0 by roll call vote.

Council at Large - Mrs. Zech made a motion to introduce the rough draft of the Dog Ordinance for its first reading. Mr. Murray made the second. The motion passed 7-0 by voice vote and was assigned as ORD04-05. Mrs. Zech explained that this was the rough draft and that the final version should be available by the next meeting. Mrs. Zech made a motion with a second from Mr. Mestemaker, *To Adopt The Amendments To The Codified Ordinances Of Cheviot As Published By The American Legal Publishing Corporation, And To Declare An Emergency*. The motion passed 7-0 by voice vote and was assigned as ORD04-06. Mr. Murray made a motion to suspend the rules. Mr. Norman made the second and the motion carried 7-0 by roll call vote. Mr. Dinkelacker made a motion to adopt. Mrs. Zech made the second. The motion carried 7-0 by roll call vote.

Council at Large - Mr. Norman announced that there was a Property Maintenance Seminar that Hamilton County was hosting on Friday, January 23, 2004 from 11:00 A.M. until 1:30 P.M. and that if anyone was interested in attending to contact him. He thanked Mrs. Zech for notifying him of this meeting.

Further Business

Mr. Keller took a moment to thank Mr. Sunderhaus for joining Council. Mr. Keller explained that Mr. Sunderhaus is a good friend of his. Mr. Keller went on to say that Mr. Sunderhaus is a very civic minded individual, is a very involved individual, and is very easy to get along with and that he should be good to the residents of the third ward.

Mr. Neal explained that he has requested that all City Employees watch for residents that may need assistance. The City has a working relationship with Community Services West which is an organization which assists the elderly with a large number of services. Mrs. Gooch asked if we get reports from Community Services West. Mr. Neal explained that they send a letter to the Mayor which gives those figures and that he would forward these figures to Council. There was a lot of discussion.

Mr. Murray made a motion to receive and file the December 2003 Mayor's Court Receipts with a second from Mr. Mestemaker. The motion passed 7-0 by voice vote.

Correspondence

A letter was received from Community Services West thanking the City of Cheviot for the \$5,000 donation which was sent to them. An Ohio Municipal League Bulletin was received. A copy of the lottery issue news article was placed in everyone's mail box. Finally, the Ohio Ethics Commission Registration Forms were placed in everyone's box. Mr. Zech apologized for the audio issues on the December 16th Cheviot Council meetings, he mentioned that there have been several steps taken to correct the problems. Finally, Mr. Zech welcomed Mr. Sunderhaus to City Council.

There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Sunderhaus. The motion passed 7-0 by voice vote. The meeting adjourned at 8:29 P.M.