

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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April 21, 2009

The regular session of Council was called to order at 7:30 P.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
Council 1 st Ward	Ryan A. Zech
Council 2 nd Ward	Matthew D. McGowan
Council 3 rd Ward	James F. Sunderhaus
Council at Large	Kathleen S. Zech
Council at Large	Dennis T. Dinkelacker
Council at Large	Steve L. Braun

President McKinney informed Council that Mr. Stautberg had a family emergency and could not attend the meeting. A motion to excuse Mr. Stautberg was made by Mr. McGowan and seconded by Mr. Sunderhaus. The motion passed with a 6-0 voice vote. President McKinney stated there are three pieces of legislation to add to the agenda, an ordinance to set the rates for the pool, an ordinance regarding the stabilization program and an ordinance regarding appropriations. A motion to approve and file the minutes for April 7, 2009 was made by Ms. Zech, seconded by Mr. Dinkelacker. The motion passed with a 6-0 voice vote.

Public Recognition on Agenda Items

No members of the Public were recognized to address any of the agenda items.

Reports of Standing Committees

There were no reports of Standing Committees.

Introduction of Ordinances and Resolutions

Mr. Braun made a motion to introduce by Title an ordinance *To Authorize a Memorandum of Understanding between the City of Cheviot and the Hamilton County Department of Community Development for the Neighborhood Stabilization Program; to select a Realtor for the use by the City in Implementing the Program; and to Declare an Emergency.* Mr. Braun explained the ordinance is regarding the \$300,000 grant from Hamilton County and the Realtor will be Dan Grote of Hoeting Realtors. Mr. Grote is also representing the City for the Glenmore Avenue house.

An introduction was made by Mr. Braun and seconded by Mr. Sunderhaus. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 09-06. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Mr. McGowan. A roll call vote was taken and the motion passed 6-0.

Mayor Keller discussed Mr. Neal's report concerning a memorandum of understanding concerning the building on Harrison Avenue. In Mr. Neal's report, there is a copy of a building order sent September 27, 2007, addressed to the owners, that was never received. It was sent three times. The building department posted it on the building where it has been posted ever since. The City would like to move forward on razing the building. The Mayor is looking for direction from Mr. Waters on this issue so that the City can use some of the money to tear the building. Mr. Waters said he will research the situation before the City starts any demolition. Mr. Waters stated he will have an answer by the next meeting. The Mayor stated the building is now a health hazard to the City and residents and would like to take prompt action. Mr. Waters questioned the cost of razing the building. The Mayor stated the approximate cost is \$15,000. Mr. Waters requested all correspondence regarding the property to assist in his research. President McKinney clarified that the Mayor wishes to use some of the stabilization funds to tear down the building.

Mr. Braun stated there is a copy of the memorandum of understanding in Mr. Neal's report.

A motion to adopt was made by Mr. Dinkelacker and seconded by Mr. Braun. A roll call vote was taken and the ordinance was adopted with a 6-0 vote.

Mr. Zech made a motion to introduce by Title an ordinance *To Set Rates for the Usage of the Municipal Swimming Pool; and to Declare an Emergency.* Mr. Zech stated the rates are remaining the same as last year and the ordinance needs to be passed as a housekeeping item. An introduction was made by Mr. Zech and seconded by Mr. McGowan. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance

number 09-07. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Mr. Zech. A roll call vote was taken and the motion passed 6-0.

Mayor Keller noted for all the public that the Parks Committee did not raise the rates on the Pool considering the current economy. For the past 11 years Harvest Home Pool has operated in the black and not used one dollar of city funding for its operation. There were \$30,000 worth of repairs done on the pool this year, paid for by a grant. The Mayor stressed the pool is self supportive/sufficient between the membership dues and concession.

A motion to adopt was made by Mr. Dinkelacker and seconded by Mr. Zech. A roll call vote was taken and the ordinance was adopted with a 6-0 vote.

Mr. Waters read an ordinance *To Amend the 2009 Annual Appropriations; and to Declare an Emergency*. Mr. Waters explained the appropriations needed to be amended to include funding for police and fire pensions. A motion to introduce was made by Ms. Zech and seconded by Mr. Sunderhaus. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 09-08. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Mr. McGowan. A roll call vote was taken and the motion passed 6-0. Mayor Keller clarified the money was put in the yearly appropriations but these two line items were inadvertently omitted. The ordinance puts the two line items back in the appropriations. The money is already there and the city is not short on the budget.

A motion to adopt was made by Mr. Dinkelacker and seconded by Mr. McGowan. A roll call vote was taken and the ordinance was adopted with a 6-0 vote.

Mayor's Report

Mayor Keller requested from the City's bonds company the bond amounts to review. Mayor Keller asked President McKinney to put the figures in committee to investigate. Mayor Keller felt some of the bonds were on the low side and some may even be unnecessary. President McKinney informed the Mayor she will have Mr. Stautberg look over the figures. The Mayor stressed he is available for input on the matter. President McKinney noted that the city's current liability insurer does bonds as well.

Mayor Keller also commented on the progress of wage negotiations. He stated the negotiations are not going too well. There are some questions at hand. The committee is adhering to the guidelines set forth by Council. The Mayor hopes to have the ending periods of the three units staggered in the future so all contracts do not expire at the same time.

Safety-Service Director's Report

Mr. Neal left a written report with Council summarizing topics he discussed at the previous Council Meeting. Ms. Zech requested a copy of the report.

Law Director's Report

Mr. Waters is still researching the private sewer issue. He would like to do a little more research before giving a final report to council.

Mr. Waters informed Council and will inform the Police Department as well, there is a sex offender living at 3917 Washington Avenue, Apt B. This location is within 1000 feet of Cheviot Elementary School. Based on the Court of Appeals opinion, this person is exempt from being evicted from his home. His offenses were committed between June 1995-98 in Summit County, Ohio. He has violated his probation and parole several times. He currently resides approximately 350 feet from Cheviot Elementary. The offenders name is Eric Eugene Smith. He was convicted of sexual battery and sexual imposition.

Public Recognition on Other Issues

A student from the University of Cincinnati, Katrina Malone introduced herself to Council. She is a social work major and is visiting council as a class assignment.

Other Business

Mr. Zech stated that a meeting of the Internal Affairs Committee was held, concerning Black Sheep, but needs additional time to prepare a formal report. Mr. Zech stated it will be ready by the next meeting.

President McKinney reminded Council there is a Finance Committee Meeting Tuesday April 28, 2009 at 7:00pm.

President McKinney also reminded Council and the public the next General Meeting will be held at Harvest Home Lodge at 7:30. There will be a 'performance' by Charlie the drug dog.

Mr. Sunderhaus notified Council to update their information with Theresa Sunderhaus.

Mayor's Court and Treasurer's Receipts

No receipts were received.

Correspondence

- Memo from the Auditor's office concerning the police and fire pension/disability ordinance
- Memo from Mr. Neal summarizing his report from the previous meeting
- 3 Property Maintenance reports from the Building Department
- Receipts for renewal of liquor licenses

There was a motion to adjourn the meeting by Ms. Zech with a second from Mr. McGowan. The motion passed 6-0 by voice vote. The meeting adjourned at 7:53 P.M.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council