

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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August 16, 2005

The regular session of Council was called to order at 7:31 P.M. with the Pledge of Allegiance and a moment of prayer. Judge Alex Triantifilou attended the meeting to swear in the replacement for Debbie Gooch. Greg Stautberg took the oath of office and then took his seat as the Council Ward 4 Councilmember. 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	Greg Stautberg
Council at Large	Kathleen S. Zech
Council at Large	Charles L. Norman
Council at Large	Michael J. Mestemaker

The minutes of the August 9, 2005 special Council meeting were approved. Due to computer error, Clerk Zech did not have the minutes of July 19, 2005 prepared, they are forthcoming. President Morganroth called for the reports that would be presented.

Recognition of the Public

Mr. Bob Blakely of 3985 Lovell complained of two separate residences on his street being used as businesses. The first he claims is a garbage collector, and then places items out for the Cheviot waste collection to take away for him. The other is Linde Lawn Service which seems to park all of their trucks at the home in question, including a pick up truck and a dump truck. There was much discussion. Mr. Neal agreed that he would look into it and got Mr. Blakely's contact information. Mr. Blakely stated that the biggest problem with both is the trash and the amount of parked traffic.

Safety-Service Director's Report

Mr. Neal reported that the health insurance renewal quotes arrived. He reported that even though Cheviot belongs to a co-operative with 22 other City's and Villages, the cost still rose 25% this coming year. Mr. Neal reported that he spoke with the bargaining units to ask them for further concessions. They agreed to the lesser coverage plan which will allow the City to only absorb a 15% increase over last year. The bargaining units requested that this change be handled by Council and done by Ordinance/Resolution for official documentation. Mr. Waters stated that the Resolution can be done. Mr. Neal reported that the State of Ohio has added even more cost to local governments, and that starting on July 1, 2005 there is an additional \$1.50 per ton surcharge for dumping garbage that is to be collected for the State. This is expected to cost the City of Cheviot an additional \$10,000 per year. Mr. Neal went on to report that this was the last week for the City Pool to be open. The pool looks to have made about \$6,000 more this year than last with a total income of \$45,165. Finally Mr. Neal requested that Council authorize him to go out for Salt Bids for winter 2005-2006. There was a bunch of discussion. Council decided to pass this request with a first from Mr. Mestemaker and a second from Mrs. Zech. The un-officially titled *The 2005-2006 Salt Bids Resolution* passed 7-0 by voice vote and was assigned RES05-15. (The Law Director had pre-numbered 2 Resolutions which will be addressed later in the meeting)

Mayor's Report

Mayor Keller took a moment to thank Judge Triantifilou for taking time out of his schedule to swear in Mr. Stautberg. Mayor Keller announced that he called and spoke to Tony Michael about the shelter project at the Cheviot Field house to ask about other potential contacts for donations. Mr. Michaels and his wife Roberta have decided that they will personally donate \$5,000 to the City for the Shelter. Mayor Keller sent his thanks and gratitude to the Michaels for their generosity. Mayor Keller went on to announce that

the owners of Hilderbrandt Nursing Home (now located in Green Township) have decided to challenge the State's decision to grant a bed license to the new owners of the former location of Hilderbrandt Nursing Home which is in Cheviot. This could take up to 6 to 8 weeks before we know the results of the hearing. The owner of the building, Ron Boomer has applied for a building permit to make improvements to the building but requested that it be held until the hearings are completed. Mr. Norman asked for clarification on who the opposing party was. Mayor Keller explained that the current owners of the new location of Hilderbrandt Nursing Home have filed for the hearing. Finally Mayor Keller asked if we have passed the Water Works agreement yet. He was informed that the second reading was set for tonight.

Law Director's Report

Mr. Waters reported that the City is still involved in the Federal Case involving the Cheviot Police which was filed by Charles Donaldson and Melissa Ruehl which is still pending. Magistrate Black in the district Court suggested that the City's motion for summary judgment should be granted. If accepted this would end the case. Mr. Murray asked if we had heard anything more about Stewart's Irish Pub. Mr. Waters stated that the State still has not reached a decision, but that the attorney for the bar feels that it is not going well for the owners of the bar. Mr. Waters suspects that the ownership of the bar will be transferred or sold.

Committee Reports

Ward 1 - Mr. Murray read a report of the Parks and Playgrounds Committee into the record. Mr. Murray made a motion to receive and follow with a second from Mr. Norman. The motion passed 7-0 by voice vote. Mr. Murray made a motion *To Change The Rates For The Rental And Usage Of The Cheviot Field house And Harvest Home Park Facilities; And To Declare An Emergency* with a second from Mr. Mestemaker. The motion carried 7-0 by voice vote and was assigned as ORD05-18. Mr. Mestemaker made a motion to suspend the rules with a second from Mr. Sunderhaus. The motion passed 7-0 by roll call vote. Mr. Murray made a motion to adopt with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote.

Ward 2 - Mr. Dinkelacker had no formal report.

Ward 3 - Mr. Sunderhaus had no formal report. He did mention that the Police and Fire Committee is working on a Resolution to adopt the Hamilton County Natural Disaster Mitigation Plan for the City of Cheviot Mr. Sunderhaus made a motion *To Establish Wages; Benefits, And Working Conditions Of Part-Time Fire Personnel; And To Declare An Emergency*. Mr. Mestemaker made the second and the motion carried 7-0 by voice vote. The motion was assigned as ORD05-19. Mrs. Zech made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mr. Murray made a motion to adopt with a second from Mr. Norman. This motion passed 7-0 by roll call vote. Mr. Sunderhaus then made a motion *Supporting The Drug Abuse Resistance Education Program And Authorizing The Police Department To Apply To The Ohio Attorney General's Office For The Continuing Efforts Of The Drug Abuse Resistance Education (DARE) Program, And Declaring An Emergency* with a second from Mrs. Zech. The motion passed 7-0 by voice vote and was assigned as RES05-16.

Ward 4 - Mr. Stautberg had no formal report. He stated that he was looking forward to working with everyone.

Council at Large – Mr. Mestemaker called a meeting of the finance committee for Tuesday, August 23, 2005 at 7:00 P.M. at Cheviot City Hall to discuss part time police wages. Mr. Mestemaker did apologize for his oversight by setting the last meeting scheduled on August 3, which was a day that he was be out of town. Mr. Mestemaker made a motion *To Transfer Funds; And To Declare An Emergency* with a second from Mr. Stautberg. The motion carried 7-0 by voice vote and was assigned as RES05-17. Mr. Mestemaker then presented ORD05-16, *To Authorize The Mayor To Enter Into A Contract With The Greater Cincinnati Water Works To Provide Water Service To The City of Cheviot For a Thirty Year Period Commencing On December 31, 2017*, for the second reading. Mr. Mestemaker then made a motion *To Submit To The Hamilton County Board Of Elections A Proposed Tax Levy Renewal To Be Voted Upon By The Electors Of The City Of Cheviot At The Next General Election; And To Declare An Emergency* with a second from

Mr. Murray. The motion passed 7-0 by voice vote and was assigned as RES05-13. Mr. Mestemaker then made a motion *To Submit To The Hamilton County Board Of Elections A Proposed Additional Tax Levy To Be Voted Upon By The Electors Of The City Of Cheviot At The Next General Election; And To Declare An Emergency.* The motion was seconded by Mr. Sunderhaus. The motion carried 7-0 by voice vote. The motion was assigned as RES05-14. Mr. Mestemaker explained that while this is a new levy, it will not raise taxes as it replaces a levy that will end this year. Mr. Mestemaker took a moment to welcome Greg Stautberg and asked him to feel free to ask any questions that he may have.

Council at Large - Mrs. Zech had no formal report. Mrs. Zech did mention that the committee is still working on the sign ordinance and that she received an email from Building Commissioner Charlie Meyer. Mr. Meyer suggested that the Ordinance is almost complete, but that he hasn't worked much on it since Council is dragging their feet on compensation for the extra hours that they worked earlier this summer and that he would leave a finished copy with the Mayor's Assistant. Mr. Morganroth mentioned that Mr. Waters is still looking at the needed legislation to give them their compensation.

Council at Large - Mr. Norman had no formal report. Mr. Norman called a meeting of the Building and Annexation Committee for Tuesday, August 23, 2005 immediately following the Finance Committee meeting, approx. 7:30 P.M. at Cheviot City Hall. This meeting is to continue discussion on rental properties.

Further Business

Mr. Murray made a motion to receive and file the Mayor's Court Receipts for July 2005 with a second from Mrs. Zech. The motion passed 7-0 by voice vote.

Mr. Sunderhaus made a motion to receive and file the Treasurer's Report for July 2005 with a second from Mr. Dinkelacker. The motion carried 7-0 by voice vote.

Mr. Murray explained that information for project I.C.E. has been posted on the City of Cheviot website at the request of Fire Chief Clark. Project I.C.E. stands for "In Case of Emergency" basically is a request that users of cellular phones program ICE into their contact list with a number of who to call In Case of Emergency.

Correspondence

A newsletter from CDS pertaining to repairs to cantilevered light posts was received. There were 9 Building Department Reports. A letter from Camron Corporation pertaining to a maintenance request from the Cheviot Building Department on the property located on 4011 Harrison Avenue. He stated that all repairs had been completed. A Mr. Seibel from Seibel Construct had sent a request about vacating the right of way on Bruestle Avenue and Council received a copy of the response that Mr. Waters had sent.

There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Stautberg. The motion passed 7-0 by voice vote. The meeting adjourned at 8:27 P.M.