

## **MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO**

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October 19, 2004

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	James E. Morganroth
Law Director	Mark G. Waters
Safety Service Director	Steven O. Neal
Council 1 <sup>st</sup> Ward	Michael J. Murray
Council 2 <sup>nd</sup> Ward	Dennis T. Dinkelacker
Council 3 <sup>rd</sup> Ward	James F. Sunderhaus
Council at Large	Charles L. Norman
Council at Large	Michael J. Mestemaker

Mr. Mestemaker made a motion to excuse Mrs. Zech and Mrs. Gooch with a second from Mr. Sunderhaus. The motion carried 5-0 by voice vote. The minutes of October 5, 2004 were approved. President Morganroth called for the reports that would be presented.

### **Recognition of the Public**

No one in attendance wished to speak.

### **Safety-Service Director's Report**

Mr. Neal reported that leaf pick up would begin in the next day or two. He asked the residents kept the leaves away from telephone poles and fire hydrants and that they do not put the piles of leaves in the street. Mr. Neal reminded the public that Halloween trick-or-treating begins at 6:00 P.M. and ends at 8:00 P.M. on Sunday, October 31. He reminded the public to vote yes on Issue 2. He told Council that he would brief them of immediate cuts if the levy fails.

### **Mayor's Report**

Mayor Keller took a moment to explain the tax levy. He explained to the public that the average \$100,000 home owner would see an additional \$103 per year on their property taxes if the Operating Levy passes. He reminded the public that both the Republican and Democratic Parties support the levy and that this has been a total non-partisan cause. He informed the public that if the levy fails there will be drastic cuts made. He explained that this was the first attempt at raising taxes in 24 years. He explained that only 12% of your property taxes go toward Cheviot while the remaining 88% goes to other outside the city agencies. He explained that the City provides Police and Fire protection, waste removal, snow removal, leaf removal, street repairs, recycling, parks, and other general maintenance services to residents through the levies that the City receives. Mayor Keller explained that there is already a deficit in 2004 which is mostly the result of sweeping changes that the State of Ohio made to the Estate Tax and Local Government Funds in 2001. Cheviot Lost a half a million dollars of income over 3 years time because of the changes the State has made. He explained that the City has been using cost cutting measures over the last few years, but that it is just not enough. Mayor Keller explained in detail the various attempts of saving money, and also how costs to the City have continued to rise. He asked for voters to vote YES on Issue 2.

### **Law Director's Report**

Mr. Waters reported that the Liquor Control Board met and heard evidence as to why Stewart's Irish Pub should not have a license renewal and that he expects a decision would be soon. He reported that depositions were taken in the federal lawsuit against the Cheviot Police Department and that things went well.

### **Committee Reports**

Ward 1 - Mr. Murray read a report of the Parks and Playgrounds Committee into record. Mr. Murray made a motion to receive and file the motion with a second from Mr. Mestemaker. The motion passed 5-0 by voice vote. Mr. Murray encouraged all residents to vote on November 2 and to vote for Issue 2.

Ward 2 - Mr. Dinkelacker had no formal report. Mr. Dinkelacker also reminded everyone to vote on November 2 and to support Issue 2.

Ward 3 - Mr. Sunderhaus had no formal report. Mr. Sunderhaus called a meeting of the Police and Fire Committee on Tuesday, November 9 at 7:00 P.M. at Cheviot City Hall. Mr. Sunderhaus made a motion *To Amend Section 33.04(A) Of The Cheviot Code Of Ordinances; And To Declare An Emergency*. Mr. Murray made the second. The motion passed 5-0 by voice vote and was assigned as ORD04-26. There was much discussion about Medi-count Management and how they are billing the residents of Cheviot. Mayor Keller pointed out that a section would need to be changed to December 1 instead of November 1 since there were not enough Council members to pass this Ordinance this evening. This ended the first reading of ORD04-26.

Ward 4 - Mrs. Gooch left no formal report.

Council at Large - Mr. Mestemaker had no formal report. He did announce that he was trying to get ahold of the Cheviot-Westwood Branch of the Post Office to set up a meeting to try and resolve the problem on Meyerfeld. He made an announcement to Mr. Gableman, the attorney for Monfort Supply Company, that he can contact Mr. Waters, the City's Law Director, to discuss the bond issue. Mr. Mestemaker also asked for residents to vote yes on Issue 2. Mr. Mestemaker made a motion *To Transfer Funds And To Declare An Emergency* with a second from Mr. Dinkelacker. The motion passed 5-0 by voice vote and was assigned as RES04-20. Mr. Mestemaker made a motion *To Accept The Amounts And Rates As Determined By The Budget Commission; To Authorize The Necessary Tax Levies; To Certify Them To The County Auditor; And To Declare An Emergency* with a second from Mr. Dinkelacker. The motion passed 5-0 by voice vote and was assigned as RES04-21

Council at Large - Mr. Norman had no formal report.

Council at Large – Council Clerk Ryan Zech read a report of the Laws, Rules and Ordinances Committee in to the record for Councilmember Kathleen Zech. Mr. Mestemaker made a motion to receive and file the report with a second from Mr. Murray. The motion passed 5-0 by voice vote.

### **Further Business**

Mayor Keller reminded the public that there would be another open forum for Issue 2 on October 26, 2004 at Cheviot City Hall at 7:00 P.M. He announced that the Cheviot Central Leadership Team Meeting will be cancelled that night. He also reminded Council that there would be no election on November 2 due to the Council Chambers being used as a polling place.

**Correspondence**

A notice from the Ohio Municipal League was sent which explained the State of Ohio figures of the changes to Local Government and other Funds. The Ohio Municipal League disputes these figures. A couple notices were sent from the Cheviot Building Department. A copy of the Legal Advertisement for Issue 2 and a copy of the Ballot were sent. A Liquor License transfer request for Roswell's Bar from the Roswells Enterprises LLC to Bruzina Enterprises LLC was sent. Police Chief Voss recommended that Council deny the request. Mr. Mestemaker made a motion to deny the request with a second from Mr. Murray. The motion passed 5-0 by voice vote.

There was a motion to adjourn the meeting by Mr. Norman with a second from Mr. Sunderhaus. The motion passed 5-0 by voice vote. The meeting adjourned at 8:09 P.M.

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Ryan T. Zech  
Clerk of Council

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James E. Morganroth  
President of Council