

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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December 2, 2008

The regular session of Council was called to order at 7:30 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	Deborah M. McKinney
Safety Service Director	Steven O. Neal
Council 1 st Ward	Ryan T. Zech
Council 2 nd Ward	James Babey
Council 3 rd Ward	James F. Sunderhaus
Council 4 th Ward	Greg J. Stautberg
Council at Large	Kathleen S. Zech
Council at Large	Dennis T. Dinkelacker
Council at Large	Steven L. Braun

President McKinney called for the reports that would be presented. The minutes of November 18th, 2008 were approved.

Introduction of Ordinances and Resolutions

Mr. Stautberg made a motion to introduce an ordinance *To Amend The 2008 Annual Appropriations; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as ORD 08-37. After some discussion, Mr. Zech made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mr. Sunderhaus made a motion to adopt with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. Mr. Stautberg 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. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as RES 08-15.

Mayor's Report

Mayor Keller informed Council that he has met again with representatives from ODOT and was told again that the traffic signals at Lovell Avenue are unwarranted, that that the City would face liability if there is an accident due to these signals, and thus they will not be included in the mast arm traffic signal project on Harrison Avenue. Mayor Keller informed Council that ODOT will remove the signals and replace them with stop signs and that there will be warning signs placed near the intersection to alert residents and pedestrians of the change. Mayor Keller informed Council that he has written a letter to the County Commissioners and has spoken personally to Commissioners Pepper and Portune to express his dismay at the proposed 2009 County Budget. Mayor Keller informed Council that the City is facing a \$25,000 increase in fees from the County, despite the fact that we receive no services from the County that we do not already pay for. Mayor Keller said he was told by Commissioner Pepper that he would do everything possible to see that Cheviot does not face an increase. Mayor Keller said he informed Commissioner Pepper that the 911 Dispatch Fees are getting so high that the City is considering joining with other communities in the county to create our own 911 system. Mayor Keller added that he will keep Council informed, but recommended that Council factor this increase into the City's budget.

Safety-Service Director's Report

Mr. Neal informed Council that the removal of the Lovell Avenue traffic signal will be paid for by ODOT. Mr. Neal informed Council that he has filed the paperwork with FEMA to recover damages from the recent wind storm, adding that Cheviot was the first community to do so. Mr. Neal informed Council that FEMA will reimburse the State, who will in turn reimburse the City; Mr. Neal added that he expects the amount to be around \$30,000. Mr. Neal informed Council that he has the draft that will be presented to the County Commissioners regarding Community Development Funds, adding that the City did receive most of what it ask for, but did not receive the funding it requested to hire additional police officers for the entertainment district. Mr. Neal informed Council that the City did not go over its general fund budget as allocated by City Council, adding that the 1st quarterly appropriations for 2009 are currently being prepared and will be

presented for passage at the next regular meeting of Council. Mr. Neal informed Council that the contract with Sibcy Cline would need to be extended for the house on Bruestle Avenue. There was much discussion. Mr. Neal informed Council that the City still has not closed on the Darwin Avenue property due to a delay in paperwork, but added that the Fire Department will use the property for training once the transfer is complete. Mr. Neal informed Council that the City needed to pass an ordinance that would allow the City to charge engineering fees to developers for using the City's engineering services. Mrs. Zech said she remembers such an ordinance being passed. There was much discussion. President McKinney asked Mr. McGowan to see if such an ordinance has already been passed. President McKinney added that an ordinance to extend the contract with Sibcy Cline would be passed later in the meeting. There was much discussion. Mr. Neal informed Council that a resident on Meyerfield Avenue continues to complain about the noise coming from the Black Sheep bar, and suggested that members of the Entertainment District help with funding of police walk beats. Mr. Neal informed Council that the owners of the Black Sheep bar and Kroner's Dry Cleaners have approached him about landscaping in front of the City's Municipal Parking Lot on North Bend Road. There was much discussion. Mr. Neal informed Council that Rumpke has sent an addendum to the City's contract for 2009, adding that there is no increase in price and that he has sent it to the Law Director for review. Mr. Neal informed Council that ODOT has plenty of road salt for the upcoming winter season, and that the City can go to ODOT to pick up additional salt. Mr. Neal informed Council that the price is still higher for Hamilton County. There was much discussion. Mr. Neal then thanked everyone who attended the Nativity dedication. There was much discussion.

Law Director's Report

Mr. Waters did not forward a report.

Other Business

Mr. Stautberg informed Council that the Law Director has said that the City cannot enact pay freezes for elected officials in the middle of a term.

Mayor Keller informed Council that he, Mr. Neal and Mrs. Zech have conducted an informal interview with a possible economic development director for the City. Mayor Keller said that while the City doesn't have the money for this right now, he wanted to ask if the money for this position could come from another area. There was much discussion.

Mr. Stautberg called a meeting of the Finance Committee for Tuesday, December 9th at 7 P.M.

Mr. Braun called a meeting of the Building and Annexation for Wednesday, December 10th at 7 P.M.

President McKinney asked if any other HUD homes are currently being purchased, Mr. Neal said no. There was much discussion. President McKinney asked for a Project Impact update. Mrs. Zech informed Council that Project Impact is currently on hold.

President McKinney reviewed the amendment to the listing agreement with Sibcy Cline and asked Council how they'd like to proceed. After much discussion, Mr. Braun made a motion to introduce an ordinance *To Amend ORD 08-24; And To Declare An Emergency* with a second from Mr. Babey. The motion carried 7-0 by voice vote and was assigned as ORD 08-38. Mr. Sunderhaus made a motion to suspend the rules with a second from Mr. Stautberg. The motion carried 7-0 by roll call vote. Mr. Dinkelacker made a motion to adopt with a second from Mrs. Zech. The motion carried 7-0 by roll call vote.

Correspondence

A listing of upcoming dates for Cheviot Magistrate Court, a letter from Duke Energy regarding upcoming rate increases and five Building Reports were received.

President McKinney distributed the updated action list for the city to Council and the Administration and asked everyone to review it and get back to her with any changes or updates.

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 8:30 P.M.

Matthew D. McGowan
Clerk of Council

Deborah M. McKinney
President of Council