

Minutes of City Council Meeting Cheviot, Ohio

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October 4, 2011

The regular session of Council was called to order at 7:31P.M. with the Pledge of Allegiance and a moment of silence. Roll call was taken and the following were found in attendance:

President of Council	Deborah M. McKinney
Law Director	Mark Waters
Safety-Service Director	Tom Braun
Council 1 st Ward	Ryan Zech
Council 2 nd Ward	Matt McGowan
Council 3 rd Ward	James Sunderhaus
Council 4 th Ward	Bill Clark
Council at Large	Kathleen Zech
Council at Large	Dennis Dinkelacker
Council at Large	Steve Braun

President McKinney reviewed the agenda and noted a few changes.

A motion to approve and file the minutes for July 19, 2011 was made by Mr. McGowan, seconded by Mr. Dinkelacker. The motion passed with a 7-0 voice vote.

A motion to approve and file the minutes for September 20, 2011 was made by Mr. McGowan, seconded by Ms. Zech. The motion passed with a 7-0 voice vote.

Department Reports

A report was provided by the Economic Development Director for September 2011. Clerk McKinney read the report for Council and the Public. The report is on file with the Clerk of Council.

Public Recognition on Agenda Items

No one from the Public chose to address Council on any agenda items.

Reports of Standing Committees

Mr. Clark read a report of the Streets, Sidewalks and Lights Committee Meeting held September 27, 2011. Mr. Clark made a motion to receive and file, seconded by Mr. Zech. The motion passed with a 7-0 voice vote.

Second and Third Readings of Ordinances

Mr. Clark stated that the Ordinance is still being worked on. Mr. Clark made a third reading of an Ordinance *To Grant an Easement to Excell Cheviot LLC*. Some issues are still being addressed and Mr. Waters will finalize the draft before passage. Mr. Clark asked that a committee meeting be scheduled for Thursday with a vote on the ordinance immediately after. The deadline for the transfer is October 15, 2011. Mr. Waters stated that if the final wording of the Ordinance is substantially different than the original readings and discussion, it will actually have to be passed by an emergency measure. He followed by saying he doesn't see it being an issue and that the ordinance would be a 4th and final reading for passage.

Introduction of Ordinances and Resolutions

Mayor's Report

Mayor Keller did not leave a report for Council.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Tom Braun provided an update for the Glenmore Reconstruction. The curb work is almost completed and the project is still on schedule to be finished by mid-November 2011. Some of the Street Scape work is done.

The Energy Efficiency Community Block Grant Program will conduct a scoping audit in all of our facilities next week. The City can then decide if they would like to proceed with the program. Up to this point, the City has not incurred any expense.

Mr. Braun attended a meeting a few weeks ago concerning the future of Electric Aggregation. The rates will change depending on what PUCO decides of the request from Duke, in regards to capacity even if they are not the electric provider. Another meeting will be held if anyone else wants to attend. Mr. Braun will provide an update when he is advised of the next meeting date.

Recommendations from the City Engineers have been provided regarding the Fieldhouse estimate of repairs. The pricing is pretty substantial. The City is applying for Community Development Grant money for some of the repairs and will look into additional grants to cover the rest. If not, further alternatives will have to be discussed.

A list of 2010 and 2011 revenue and expenses from the Recreation Department is being provided to Mr. Zech.

The City received a check for \$5,000 today but no application, for an Internet Sweepstakes Café on the corner of Harrison and Nolan.

Mr. Braun stated he will be attending a meeting for the Westwood Northern Boulevard Bundle next Thursday at 1:00pm.

There were no further questions for the Safety-Service Director.

Law Director's Report

Mr. Waters informed Council that the law suit against the City by the Monfort Supply Company/Rack is set for a Hearing on the Temporary Protection Order on October 17, 2011 before Judge Leubbers. The hearing is a continuation from the September hearing since many were out of town. Ms. Zech, Mr. Tom Braun, Mr. Bill Spurling and Mr. Mark Kluesner have all been subpoenaed by Rack.

The application for relief filed with the court regarding the findings of the State Auditor for the years 2008 and 2009 has been denied, stating that the application should have been submitted prior to the transfer not after the illegal transfer was made. Mr. Waters contacted the State Auditor as to how to proceed from here. The finding for adjustment will stand until all funds paid back and the City would continue to be cited on a yearly basis. The City was cited for illegal transfer of funds which effects the City's rating as far as financial stability.

There were no further questions for the Law Director.

Public Recognition on Other Issues

No one from the Public chose to address Council on any City issues or items.

Other Business

Mr. Clark called a meeting of the Streets, Sidewalks and Lights Committee for discussion of the Excell easement of the right of way. The meeting shall be held October 6, 2011 at 7:30pm.

A Special Meeting of Council is called for October 6, 2011 at 7:45pm to submit ORD 11-29 for final passage. Mr. Waters is requested to attend.

Ms. McKinney called a meeting of the Committee of the Whole to discuss appointing a new Clerk of Council. The meeting shall be held October 6, 2011 at 6:45pm.

Mr. Zech called a meeting of the Parks and Playgrounds Committee for discussion of the Parks and Pool rates. The meeting shall be held October 11, 2011 at 7:00pm.

President McKinney reminded the Public to check their polling place and precinct to vote in the upcoming election since some have been changed. Make sure everyone votes on Tuesday November 8, 2011.

President McKinney asked that other Council members watch the public access broadcasts of the Council meetings and note if there is an issue with the volume.

Mr. Clark stated there now is a City of Cheviot Facebook page. It will be kept informative and professional.

Treasurer's Receipts

Mayor's Court Receipts

Correspondence

- Invitation to Ribbon Cutting at Huntington Bank
- Licenses and Permits issued by the Building Department for September 2011
- Invitation from Cincinnati State for a reception at their Harrison Campus
- Notice from the EPA concerning a public hearing
- Pay as you Throw Workshop
- Composting Seminar Notice
- Options for Fieldhouse Repairs from the City Engineers
- Fire Safety Week October 11-14, 2011

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. McGowan. The motion passed with a 7-0 voice vote. The meeting adjourned at 8:01pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council