

**September 17, 2019
City Council, Cheviot, Ohio**

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Council President Waters called the meeting to order at 7:30PM with the Pledge of Allegiance and a moment of silent prayer. Roll was then called, and the following were found to be in attendance.

Mayor	Sam Keller
Safety Service Director	Tom Braun
Law Director	Kimberlee Rohr
Council Ward 1	David Voss
Council Ward 2	RaeJean Hardig
Council Ward 3	Jim Sunderhaus
Council At Large	Kathleen Zech
Council At Large	Gail Griffin

Minutes from the September 3 meeting were approved with a motion by Ms. Griffin and a second by Mr. Voss.

Committee Reports: Mrs. Zech read into record her report from the Laws, Rules and Ordinances committee meeting held on September 3. Motion to receive and file was made by Mrs. Zech, second by Mr. Voss.

Council members Tucker and Richter, who were not present during roll call, joined the meeting at 7:37PM.

Committee Reports (continued): Mrs. Tucker read into record her report of from the 8/27 Streets Committee. Motion to receive and file was made by Mrs. Tucker, second by Mrs. Richter.

Department Reports: None

Public Recognition On Agenda Items: None

Legislation:

Ordinance 19-24 An Ordinance To Amend Sections 150.03, 150.04, 150.11 and 150.13, And To Add Section 150.171 To The Cheviot Code Of Ordinances To Create An Overlay Zoning District For A Portion Of The Business "B" District. Motion to adopt made by Mrs. Zech, second by Mrs. Hardig. Motion carried by unanimous council roll call vote.

Ordinance 19-25 An Ordinance To Amend Sections 150.03, 150.06 And 150.07 Of The Cheviot Code Of Ordinances To Prohibit The Cultivation, Processing And Sale Of Medical Marijuana In All Zoning Districts Of The City Of Cheviot. Read by title, Mrs. Zech. Motion to adopt made by Mrs. Zech, second by Mr. Sunderhaus. Motion was overturned by a 3 YES to 4 NO roll call vote. Following the vote there was much discussion, including several council members giving reason for their NO vote. The majority felt as though a complete and total ban on the dispensaries was a bit harsh, especially since no licenses have been issued in the City, Mrs. Zech countered with the fact that of the 18 municipalities she spoke with, all but two have adopted a ban. She feels it's less strain on resources to issue the ban, then repeal it if necessary.

Ordinance 19-26 To Amend Sections 137.01, 137.06 and 137.09 Of Chapter 137: "Weapons Control" Of The Cheviot Code Of Ordinances. Motion to introduce made by Mrs. Zech, second by Mrs. Tucker. Motion carried unanimously. This constitutes the first reading.

Mayor's Report: Mayor noted that City Administration will make a recommendation to Mrs. Tucker's SST Committee regarding sidewalk patios. The transfer of funds to pay for the new pool filter is being tabled until the October 1 meeting. Regarding the Safety Study, Caroline Duffy and ODOT made some recommendations that Mayor and SSD felt were not in the best interests of the safety of the citizenry, included a lane reduction on Harrison Avenue. Further discussions will continue with Ms. Duffy in the hope that some the features that the City has worked for can be retained.

Safety Service Director: No report.

Law Director: The Family Dollar appeal of the liquor license is not on the October docket. The Unofficial Juvenile Court swearing in was September 13. Plans are for the first docket hearing to be in October or November. If community service is deemed an acceptable form of restitution for juvenile offenders, this would be overseen by the Hamilton County Juvenile Court System. Mr. Waters questioned why holding Unofficial Juvenile Court was not presented for Council's approval. Mr. Waters asked Mrs. Rohr which statute or ordinance authorized her to create a court in the city. She replied that she would let council know. A lengthy discussion ensued. Mrs. Richter asked how it is being funded. Mrs. Rohr stated that she is acting as a volunteer and there is no funding needed from the City except the payment of the police officer. Mayor Keller interjected that the police officer's pay for his time will come out of the police department's budget and that the use of Council Chambers for the Unofficial Juvenile Court was pre-approved by the Mayor. Mrs. Tucker asked if a lease agreement was necessary for the County to hold the juvenile court in the City's chambers, and if so, we need to move on it quickly so as not to delay the first hearing date. Mrs. Rohr stated that if the President of Council and City Council did not want to use City property for the Unofficial Juvenile Court, then she would contact Cheviot Elementary to use their building for the docket, as they are very supportive of the program.

Public Recognition on Non-Agenda Items:

-Mrs. Slaughter feels that there was not enough public input to make an educated decision on whether or not to ban marijuana dispensaries. She feels that all public hearings need to be widely publicized so that those residents who have an opinion can be heard. On the topic of Mrs. Rohr serving in the Unofficial Juvenile Court, Mrs. Slaughter feels it might be a conflict of interest with Mrs. Rohr serving as the hearing officer and as Law Director, per the ethics opinions she had. Much discussion followed. Mr. Waters stated that Mrs. Rohr should check with Ohio Supreme Court for clarification. Mrs. Rohn stated that there was no conflict, the Hamilton County Juvenile Court approved it, and that other city prosecutors have acted as unofficial hearing officers.

Other Business:

- Ms. Griffin reported on the recent LSDMC meeting she attended at Cheviot School. A new program called Mind Print Learning has been introduced. The school is looking for a crossing guard. If you know someone who might be a good fit, ask them to contact the school.
- Mrs. Tucker interjected that she had been contacted by Adopt-A-Class and she would like to recruit some city officials to participate and create a presence in the school.
- Mr. Sunderhaus attended a recent WeThrive meeting and said it was very informative. WeThrive would like to partner with local fire departments to provide and install no-cost smoke detectors.
- Mrs. Richter said the Harvest Home Fair seemed to be a huge success. The weather was great, the crowds were enthusiastic, and everyone seemed to have a good time. The final WestSide Market of 2019 season will be held on Saturday, November 30, beginning at 4pm.
- Ms. Griffin has organized a Cheviot Cleanup Day for Saturday, October 12 from 9 to noon. Groups will start at Cheviot Fieldhouse and move toward Harvest Home Park, picking up litter and socializing along the way and ending the day with a grill-out.

Other Business (continued)

-There were two property maintenance violations. Treasurer's report for June 2019 submitted by Joe Pahls was received and filed with a motion by Mrs. Zech, second by Mr. Sunderhaus and 7-0 voice vote.

-Mrs. Tucker will be absent from the October 1 meeting. Council has excused her with motion by Mr. Sunderhaus, second by Mrs. Richter and 7-0 voice vote. .


Upcoming Meetings:

Streets, Sidewalks & Traffic (Tucker) October 15, 6:30PM to further discuss sidewalk patios

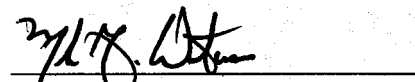
Council then adjourned to Executive Session to discuss matters permitted by R.C 121.22(G)(8), with a motion by Mrs. Tucker, second by Mrs. Hardig, and a 7-0 roll call vote.

At 9:50PM, as Council was still in executive session, the Council Clerk excused herself and went home, leaving one matter of unfinished business, the receipt and filing of Mayor's Court receipts for August, 2019. This item will be included on the agenda for the October 1 meeting.

At the conclusion of the executive session, Mrs. Tucker moved to close the executive session, seconded by Mrs. Zech, and passed by a 7-0 voice vote. Mrs. Tucker then moved to adjourn the council meeting, seconded by Mr. Voss and passed by a 7-0 voice vote.



Jenny M. Eilermann, Clerk of Council



Mark G. Waters, President of Council