

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

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March 20, 2007

The regular session of Council was called to order at 7:30 P.M. following a public hearing regarding the City's Gas Aggregation Program. The Pledge of Allegiance and a moment of prayer were held. Roll call was taken and the following were found in attendance:

Mayor	Samuel D. Keller
President of Council	Michael J. Mestemaker
Law Director	Mark G. Waters
Safety Service Director	Steven O. Neal
Council 1 <sup>st</sup> Ward	Ryan T. Zech
Council 2 <sup>nd</sup> Ward	Dennis T. Dinkelacker
Council 3 <sup>rd</sup> Ward	James F. Sunderhaus
Council 4 <sup>th</sup> Ward	Greg J. Stautberg
Council at Large	Kathleen S. Zech
Council at Large	Charles L. Norman
Council at Large	Steven L. Braun

The minutes of March 6<sup>th</sup>, 2007 were approved. President Mestemaker called for the reports that would be presented.

### **Recognition of the Public**

Chris Baker, owner of 2<sup>nd</sup> Street Saloon on Harrison Avenue, came before Council to raise awareness about the recent rash of break-ins of west side bars and restaurants. Mrs. Baker expressed the concerns of business owners who said they were not made aware of the robberies, even though they had been going on in neighboring communities for over a month by the time the first one happened in Cheviot. Mrs. Baker stated that she feels the whole community should have been made aware, and that many business owners are now scared and don't know what to do. Denise List, owner of the Smoking Monkey on Harrison Avenue, said that she feels that the whole community needs to step up and unite to address crime and violence in our neighborhoods. President Mestemaker invited Police Chief David Voss to address these issues. Chief Voss informed everyone that due to an ongoing investigation, he is limited in what he can say. He said the problem is going on in other communities, and recommended all business owners should have alarm systems in place to help prevent crime. Chief Voss said that the Police Department is doing everything within its power to bring these criminals to justice, including starting a new Crime Alert Program for the business community. There was much discussion. Victor Vidas, owner of Rootie's on Harrison Avenue, informed Council that since his establishment was robbed on February 16<sup>th</sup>, not one Police Officer has stopped by the bar to check in on them. After more discussion, President Mestemaker informed everyone that he would call a public committee meeting with the Police, Council, and the City Administration to address this issue.

Mark Dickman and Glenn Asbury of Westwood-Northern Boulevard informed Council of repeated issues they have had with neighbors who are creating a nuisance. There was much discussion. Chief Voss informed Council that many of the issues with the residence in question are not necessarily police matters, but rather issues with the City's Building Code. There was much discussion. Mary Jane Brown of Florence Avenue informed Council of problems with possible drug dealing on Dina Terrace near her property, as well as several problems with the deplorable condition of the property in question.

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

Mr. Neal informed Council that over one hundred people attended the first time homebuyer program offered by the City on Wednesday, March 14<sup>th</sup> at the Cheviot Fieldhouse and thanked everyone involved. Mr. Neal then recognized the Cheviot Civic Association and the Cheviot-Westwood Kiwanis for recent donations that will be used at the Cheviot Municipal Pool and Harvest Home Park.

### **Mayor's Report**

Mayor Keller reiterated the comments of Mr. Neal regarding the first time homebuyer program offered by the City and also thanked everyone involved. The Mayor also thanked members of Council, the City Administration, and City Employees for their support following the recent passing of his father-in-law.

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

Mr. Waters informed Council that there is a grievance hearing for a City employee on June 26<sup>th</sup> at 10 A.M. at City Hall.

### **Committee Reports**

Ward 1 - Mr. Zech read a report of the Internal Affairs Committee into the record. Mr. Zech made a motion to receive and file the report with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote. Mr. Zech read a report of the Parks and Playgrounds Committee into the record. Mr. Zech made a motion to receive and file the report with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote. Mayor Keller informed Council that he has spoke with the Police Chief and Mr. Norman about the possibility of hiring a former City Police Officer for the vacant Parking Enforcement position. Mr. Zech then gave the final reading of the Property Maintenance Code. After much discussion, Mr. Zech made a motion to adopt *ORD 07-02 To Repeal Sections 151.15 Through 151.99 Of The Cheviot Code Of Ordinances; To Adopt The International Property Maintenance Code (2006 Edition); And To Enact Supporting Legislation To Properly Administer The New Property Maintenance Code* with a second from Mr. Norman. The motion carried 7-0 by roll call vote.

Ward 2 - Mr. Dinkelacker had no formal report. Mr. Dinkelacker reminded everyone that the next Project Impact meeting would be on Wednesday, March 28<sup>th</sup> at 6:30 P.M. in the Fire Department Meeting Room.

Ward 3 - Mr. Sunderhaus had no formal report. Mr. Sunderhaus thanked the members of the Cheviot Fire Department that responded to his residence after he fell off a ladder. Mr. Sunderhaus informed Council that he would schedule a meeting of the Police and Fire Committee after he talks with Mrs. Baker.

Ward 4 - Mr. Stautberg had no formal report. Mr. Stautberg updated everyone on the Public Hearing regarding the Gas Aggregation Program that took place before tonight's Council meeting and called another for Tuesday, March 27<sup>th</sup> at 6:30 P.M. at City Hall. Mr. Stautberg commended Mr. Zech and Mr. Neal for all their hard work on the new Property Maintenance Code.

Council at Large – Mrs. Zech read a report of the Laws, Rules, and Ordinances Committee into the record. Mrs. Zech made a motion to receive and file the report with a second from Mr. Dinkelacker. The motion carried 7-0 by voice vote. Mrs. Zech made a motion *To Request Certification To Enforce The Residential Building Code Of Ohio For One, Two, And Three Family Dwellings Within The City Of Cheviot, Ohio; And To Declare An Emergency* with a second from Mr. Dinkelacker. The motion carried 7-0 by voice vote and was assigned as ORD 07-07. Mr. Sunderhaus made a motion to suspend the rules with a second from Mr. Braun. The motion carried 6-0 by roll call vote (Mr. Stautberg was briefly excused). Mr. Dinkelacker made a motion to adopt with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion *To Authorize A Request To The Ohio Board Of Building Standards To Certify The City Of Cheviot, Ohio, For The Enforcement Of The Residential Code Of Ohio To Exercise Enforcement Authority, To Accept And Approve Plans And Specifications, And To Make Inspections; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as ORD 07-08. Mr. Stautberg 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 Mr. Stautberg. The motion carried 7-0 by roll call vote.

Council at Large - Mr. Norman had no formal report. Mr. Norman made a motion *To Transfer Funds; And To Declare An Emergency* with a second from Mrs. Zech. The motion carried 7-0 by voice vote and was assigned as RES 07-03. Mr. Norman made a motion *To Approve The Provision Of Accounting Services To The City Of Cheviot By The Local Government Services Section Of The State Auditor's Office; To Increase The 2007 Annual Budget Appropriations To Fund The Accounting Services; And To Declare An Emergency* with a second from Mr. Stautberg. The motion carried 7-0 by voice vote and was assigned as ORD 07-09. 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. Sunderhaus made a motion to adopt with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. After much discussion, Mr. Norman made a motion to pass *An Ordinance To Make Appropriations For Current Expenses And Other Expenditures For The City Of Cheviot, State Of Ohio, During The 2007 Year Ending 12/31/07 And Declaring An Emergency* with a second from Mr. Braun. The motion carried 7-0 by voice vote and was assigned as ORD 07-10. Mr. Stautberg made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion to adopt with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote.

Council at Large - Mr. Braun had no formal report. Mr. Braun informed Council that he received an email from OKI regarding additional Federal Service Transportation funds available for special projects in the region. Mr. Braun said he would look into it further with Mr. Neal and report to Council.

#### **Further Business**

Mr. Zech called a meeting of the Parks and Playgrounds Committee for Tuesday, March 27<sup>th</sup> at 7 P.M. and requested that members of the Finance Committee also be present.

Mr. Dinkelacker made a motion to receive and file the February 2007 Treasurer's Report with a second from Mr. Stautberg. The motion passed 7-0 by voice vote.

A request for a liquor license was received from the Ohio Division of Liquor Control for the ownership of the CVS on Harrison Avenue. Police Chief Voss had no objections and Council did not see a need for a hearing on this request.

#### **Correspondence**

A Legislative Bulletin from the Ohio Municipal League, a copy of the CDS *Perspectives* Newsletter and a copy of a letter to the Building Commissioner from CamRon Corporation regarding the sign ordinance was received.

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 8:59 P.M.

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Matthew D. McGowan  
Clerk of Council

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Michael J. Mestemaker  
President of Council