

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

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April 19, 2005

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   |
| 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 4 <sup>th</sup> Ward | Debra A. Gooch        |
| Council at Large             | Kathleen S. Zech      |
| Council at Large             | Charles L. Norman     |
| Council at Large             | Michael J. Mestemaker |

The minutes of April 5, 2005 were approved. Mr. Murray mentioned that he found an error in the March 15, 2005 minutes. He mentioned that the name is Ray Kroner, not Lou Kroner. The Clerk of Council agreed to fix it by the next meeting. President Morganroth called for the reports that would be presented.

### **Recognition of the Public**

Bethany Forbeck of 3826 Delmar, Cynthia Elliott of 3853 Delmar #5, Mary Royce of 3836 Delmar, Brian Hobert of 3845 Delmar, Brenda Murray of 3829 Delmar, and Mary Kay Moore of 3840 Delmar approached Council to complain about Shelton's Pub located at the end of their street. They all expressed similar complaints which included loud music, profanity, and general noise beyond 2:30 A.M. through out the week; trash including beer bottles being thrown into their yards; people throwing up and urinating into their yards; people racing up and down the street; people driving the wrong way down the one-way street; general fighting and arguing; lack of police presence; lack of on-street parking; many felt that Shelton's serves underage patrons; many others feel that Shelton's does not effectively monitor patrons alcohol consumption; and many felt that the City isn't helping residents because of higher taxes that a business pays.

Eli Cresor of 3825 Delmar addressed Council to state that he thinks that the other residents have the wrong bar. He feels that Shelton's is not the culprit, but that another bar is allowing excessive alcohol sales, and that the glass beer bottles are not coming from Shelton's.

Tamara Borgmann of Haft Road addressed Council to explain that she had already spoken to some residents and to Steve Neal to see what could be done to improve the situation. Tamara is the owner of Shelton's Pub. She explained that she was trying to work out a deal with Long John Silver's for parking, or with another business in the area. She requested a meeting with the residents so that she could get input and share her ideas for improving the situation.

Mayor Keller and Steve Neal tried to address several of these concerns with the residents. There was much discussion. A meeting between some of the City Officials, the residents of Delmar, and the owners of Shelton's Pub was set up at a later point in the meeting. There was much discussion about how the City does not make much tax revenue off a bar, why the Police may have taken awhile to respond to a call, and what steps the City will try to take to improve the situation. Mayor Keller also mentioned that he visited and observed the bar to see if some of these concerns were true. He observed that the noise was very loud along with a few other small problems, but he also stated that he saw no infractions pertaining to sales of alcohol, underage consumption, etc. There was much discussion.

### **Mayor's Report**

Mayor Keller took reported that he followed up with Shelton's Pub and that he does have issues with why the Cheviot Police did not respond.

**Law Director's Report**

Mr. Waters had no formal report. He did mention that he had still not received word on Stewart's Irish Pub. He suggested that Council file another request to not renew the license. He stated that he would be sending another letter to the Ohio Liquor Control Board.

**Committee Reports**

Ward 1 - Mr. Murray read a report of the Parks and Playgrounds Committee into the record. Mr. Murray made a motion to receive and file the report with a second from Mr. Dinkelacker. The motion carried 7-0 by voice vote. Mr. Murray then presented and made a motion to adopt ORD05-10, *To Set The Compensation Rate For Personnel working at the City Swimming Pool For The 2005 Season*. Mrs. Gooch made the second. The motion carried 6-0-1 by roll call vote. Mr. Sunderhaus abstained since his daughter works at the City Swimming Pool and he didn't feel it right to vote for a raise for her. The motion passed it's third and final reading.

Ward 2 - Mr. Dinkelacker had no formal report.

Ward 3 - Mr. Sunderhaus read a report of the Police and Fire Committee into the record. Mr. Sunderhaus made a motion to receive and file the report with a second from Mr. Mestemaker. The motion passed 7-0 by voice vote. Mr. Sunderhaus also suggested that the residents of Cheviot log onto [www.hamilton-co.org](http://www.hamilton-co.org) to register to win tickets to the County's private box at Great American Ballpark to see a Reds game.

Ward 4 - Mrs. Gooch called for a meeting of the Finance Committee on Tuesday, April 26 at 7:30 P.M. at Cheviot City Hall to discuss several financial matters. Mrs. Gooch made a motion *To Amend The 2005 Annual Appropriations As To Zoning Salaries; And To Declare An Emergency* with a second from Mr. Murray. The motion passed 7-0 by voice vote and was assigned as ORD05-12. Mr. Mestemaker made a motion to suspend the rules with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. Mr. Dinkelacker made a motion to adopt. Mr. Sunderhaus made the second. The motion carried 7-0 by roll call vote.

Council at Large – Mr. Mestemaker had no formal report.

Council at Large - Mrs. Zech called a meeting of the Laws, Rules and Ordinances Committee for Thursday, April 21 at Cheviot City Hall at 12:00 P.M. The early time was to accommodate Charlie Meyer who is supposed to attend. 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. Murray. The motion carried 7-0 by voice vote.

Council at Large - Mr. Norman read a report of the Building and Annexation Committee into the record. Mr. Sunderhaus made a motion to receive and file the report with a second from Mr. Mestemaker. The motion passed 7-0 by voice vote. Mr. Norman made a motion to introduce *An Ordinance Implementing Sections 3735.65 Through 3735.70 Of The Ohio Revised Code, Establishing And Describing The Boundaries Of Community Reinvestment Area In The City Of Cheviot And Designating A Housing Officer To Administer The Program And Creating A Community Reinvestment Housing Council And A Tax Incentives Review Council*. Mrs. Gooch made the second. The motion passed 7-0 by voice vote and was assigned as ORD05-13. This concluded the first reading of the Ordinance.

**Safety-Service Director's Report**

Mr. Neal reviewed several of the key points to ORD05-13 which had just completed its first reading. He reported that Carrie Avenue should be grinded on April 25 and the project should be done in mid-May. He reported that brochures for the Cheviot City Pool arrived today, and that the pool will open June 4<sup>th</sup>, and will operate between 12:00 and 8:00 P.M. Mr. Neal explained that the Garbage Fee notices were mailed out and that \$134,391 had already been collected. Mr. Neal went on to talk about the shelter project at the Cheviot Fieldhouse and that so far \$30,225 has been donated and that Council will need to amend the budget once 80-90% has been received. He explained that the City has decided to use City

personnel to operate heavy construction equipment as to keep the City's liability lower in the event of an injury or accident. Mr. Neal mentioned that to date \$6,200 had been donated to the City of Cheviot to help offset the cost of the siren. A meeting was called for Monday, April 25 at 6:30 P.M. at the Harvest Home Lodge to discuss the Shelton's situation. There was much discussion about Shelton's Pub and the siren.

**Further Business**

Mrs. Zech made a motion to receive and file the March 2005 Treasurer's Report with a second from Mrs. Gooch. The motion passed 7-0 by voice vote.

**Correspondence**

The Ohio Ethics Commission sent a reminder to Council about the April 15 deadline for the Financial Disclosure Statement. A newsletter from the Hamilton County Environmental Services was received. A newsletter from CDS associates, the City's Engineering Firm was received. There were 5 building department reports. There were also two Ohio Municipal League reports.

There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Sunderhaus. The motion passed 7-0 by voice vote. The meeting adjourned at 8:47 P.M.

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Ryan T. Zech  
Clerk of Council

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James E. Morganroth  
President of Council