

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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May 5, 2009

The regular session of Council was called to order at 8:26 P.M. with the Pledge of Allegiance and a moment of silence. Roll call was taken and the following were found in attendance:

Mayor	Samuel D. Keller
President of Council	Deborah M. McKinney
Law Director	Mark Waters
Council 2 nd Ward	Matthew D. McGowan
Council 3 rd Ward	James F. Sunderhaus
Council 4 th Ward	Gregory J. Stautberg
Council at Large	Kathleen S. Zech
Council at Large	Dennis T. Dinkelacker
Council at Large	Steve L. Braun

President McKinney informed Council that Mr. Zech was ill and could not attend the meeting. A motion to excuse Mr. Stautberg was made by Mr. McGowan and seconded by Mr. Stautberg. The motion passed with a 6-0 voice vote. President McKinney thanked Officer Patton for the demonstration by K9 Charlie. President McKinney informed Council there is a report regarding the census meeting. President McKinney stated there are four pieces of legislation to add to the agenda, an ordinance concerning the resurfacing of Harrison Avenue, an ordinance regarding the traffic signal project, a resolution regarding the transfer of funds and a resolution regarding tax figures. A motion to approve and file the minutes for April 21, 2009 was made by Mr. McGowan, seconded by Mr. Dinkelacker. The motion passed with a 6-0 voice vote.

Public Recognition on Agenda Items

No members of the Public were recognized to address any of the agenda items.

Reports of Standing Committees

Ms. Zech updated Council concerning the upcoming Census. Ms. Zech attended a meeting with the county commissioners. The Census Bureau is creating a partnership with communities to get the word out. It is very important for funding to have an accurate census count. Some ideas to inform the public about the census were to put it on the website, have festival booths, etc. Ms. Zech stated there is funding available if any expenses do arise. A Committee should be formed to oversee the project. The Committee should have a head that is a high ranking elected official, and members of the community. Ms. Zech nominated President McKinney to head the committee and offer any help or input necessary. Ms. Zech informed Council that she spoke to the Mayor of Silverton and because their last census was inaccurate, Silverton changed from a City to a Village. Ms. Zech made a motion to appoint President McKinney head of the Census Committee with a second by Mr. Stautberg. A 6-0 voice vote approved the motion.

Introduction of Ordinances and Resolutions

Mr. McGowan made a motion to introduce by Title an ordinance *To Approve the Agreement with the Ohio Departments of Transportation for the Resurfacing of Harrison Avenue; To Authorize the Safety-Service Director to Sign the Agreement on Behalf of the City; and to Declare an Emergency.* An introduction was made by Mr. McGowan and seconded by Mr. Sunderhaus. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 09-09. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Ms. Zech. A roll call vote was taken and the motion passed 6-0. There was no discussion on the ordinance. A motion to adopt was made by Mr. Dinkelacker and seconded by Mr. McGowan. A roll call vote was taken and the ordinance was adopted with a 6-0 vote. Mayor Keller requested an extra signed copy of the ordinance.

Mr. McGowan made a motion to introduce by Title an ordinance *To Accept the Bid of Perram Electric for the Harrison Avenue Traffic Signal Project; and to Declare an Emergency.* An introduction was made by Mr. McGowan and seconded by Mr. Dinkelacker. The motion passed with a 6-0 voice vote. The ordinance was assigned ordinance number 09-10. A motion to suspend the rules was made by Mr. Sunderhaus and seconded by Mr. McGowan. A roll call vote was taken and the motion passed 6-0. There was no discussion on the ordinance. A motion to adopt was made by Mr. Sunderhaus and seconded by Mr. Braun. A roll call vote was taken and the ordinance was adopted with a 6-0 vote. Mayor Keller requested an extra copy of the ordinance.

Mr. Stautberg made a motion to introduce by Title a resolution *To Transfer Funds and to Declare an Emergency*. The resolution will transfer \$4,000 from the General Fund to Waste Collection Services. An introduction was made by Mr. Stautberg and seconded by Mr. Sunderhaus. The motion passed with a 6-0 voice vote. The resolution was assigned resolution number 09-04. The resolution was adopted.

Mr. Stautberg made a motion to introduce by Title a resolution *To Request that the Hamilton County Auditor Certify to the City of Cheviot the Tax Levy Calculations Enumerated in Section 5705.03(B) of the Ohio Revised Code; and to Declare an Emergency*. Mr. Stautberg clarified that it is the same resolution previously passed but the millage had to be rounded per the Hamilton County Auditor. An introduction was made by Mr. Stautberg and seconded by Mr. Sunderhaus. The motion passed with a 6-0 voice vote. The resolution was assigned resolution number 09-05. The resolution was adopted.

Mayor's Report

Mayor Keller informed Council that Wage Negotiations are continuing with the three unions. Mr. Waters has a large amount of legal work and Mayor Keller requested that Council consider using special counsel if needed. Mayor Keller asked Mr. Stautberg how much was appropriated for this matter. The Clerk informed Council that \$5,000 was appropriated for Special Counsel. Mayor Keller does not want Mr. Waters to become over burdened with all the work in front of him. Mayor Keller informed Council that there are several grievances that Mr. Waters is handling, in addition to wage negotiations.

Safety-Service Director's Report

Mr. Neal had to tend to family out of town, and did not leave a report.

Law Director's Report

Mr. Waters reported on the Harrison Avenue building. The property was in tax foreclosure. No one bid on the property and it should have been transferred to the State of Ohio. The deed was never transferred. Mr. Waters is contacting officials to inform them of the City's wishes to tear down the building. Mr. Waters brought attention to the amount of delinquent taxes on the property, \$38,200. If the City tears it down, there will still be a tax lien on the property. The City will probably not see any funds from the sale of the property. Mr. Waters needs to inform the correct people with the State of Ohio how the City will be proceeding. Mayor Keller informed Council and Mr. Stautberg that it is the City's wishes to use the \$300,000 from Hamilton County to demolish the building. Mr. Waters clarified that the City will not take ownership of the property just by demolishing the property. Mayor Keller asked Mr. Waters if the taxes could be forgiven if the City takes ownership. Ms. Zech asked if the State would share in the cost. Mr. Waters would like to keep the burden on the state if possible. Mayor Keller requested that the City take no action at this time so that Mr. Waters may further investigate Council's questions. Mayor Keller also informed Council that Sunshine Cleaners will be closing and Ray Kroener has taken on their business. In the future, it may be possible for the City to purchase the area and create additional parking. President McKinney asked the Mayor if the Harrison Avenue property is secure and not a safety hazard. Mayor Keller assured President McKinney that the area is secure at this time.

Public Recognition on Other Issues

No members of the Public were recognized to address any other issues.

Other Business

Mr. Stautberg requested a Special Council Meeting be held Tuesday May 12, 2009 in order to pass a resolution for the Tax Levy to be put on an August Ballot. The meeting shall be held at 7:00pm and be very brief.

The Mayor requested that the Finance Committee break down the appropriations for the Mayor. The way the current appropriation reads, it appears as if the Mayor makes \$107,000 a year. The Mayor received a call from a concerned citizen that the Mayor made too much money and should use some of his salary for the garbage collection.

Mayor's Court and Treasurer's Receipts

No receipts were received.

Correspondence

- Invitation to attend a Pipeline Safety Program
- Magistrate Court Dates for Mondays
- 2 Property Maintenance reports from the Building Department
- Building Code Violation report on Bruestle Avenue
- Regional Planning Commission newsletter
- Information on the Harrison property from Mr. Waters

Mayor Keller informed Council that the Building Department made a meeting with the owners of the Bruestle Avenue property. The owners did not show up and left the property unsecured. The orders were written to demolish the building due to the numerous violations and will certainly become another legal matter for Mr. Waters to handle.

There was a motion to adjourn the meeting by Ms. Zech with a second from Mr. McGowan. The motion passed 6-0 by voice vote. The meeting adjourned at 8:56 P.M.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council