

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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August 3, 2004

The regular session of Council was called to order at 7:30 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
Law Director	Mark G. Waters
Safety Service Director	Steven O. Neal
Council 1 st Ward	Michael J. Murray
Council 2 nd Ward	Dennis T. Dinkelacker
Council 3 rd Ward	James F. Sunderhaus
Council at Large	Kathleen S. Zech
Council at Large	Charles L. Norman
Council at Large	Michael J. Mestemaker

Mr. Mestemaker made a motion to excuse Mrs. Gooch with a second from Mr. Norman. The motion passed 6-0 by voice vote. The minutes of July 20, 2004 were approved. President Morganroth called for the reports that would be presented.

Recognition of the Public

No one from the public wished to speak.

Safety-Service Director's Report

Mr. Neal reported that the 2004 Street Improvement Bids have been received and that they were opened July 24. Carrie Avenue will receive a new water main and will be resurfaced. Walter Avenue will receive a new water main. The winning bid for the street reconstruction is \$394,731.50 from R.A. Miller and the winning water main replacement bid is from Larry Smith Contractors for \$385,854. The other bids are on file. Mr. Neal also reports that a tree in the right of way at 4134 Homelawn has branches falling, and that notice was sent that the City will take it down. The City may need to remove it before the 14 period because it is a danger to the public. Mr. Neal said that he had spoken to the law director about it.

Mayor's Report

Mayor Keller reported that all City Employees have been asked to help distribute flyers to residents in Cheviot to notify them of the Tax Amnesty program which is currently in effect in Cheviot. He notified Council that a post audit meeting with the State Auditor's Office will be at 9 A.M. on August 5th. Last week, Mayor Keller met with Steve Neal, Police Chief Voss, Sgt. Craig Holder, and officer Steve Ward to interview 2 candidates for the vacated position in the Cheviot Police Department. An offer was made to Adam Chappell on the condition that he passes the necessary tests. The Mayor hopes to swear him in soon. Mayor Keller also spoke with the head of the Civil Service Commission to discuss offering the Exam for the vacated Sergeants position to the other officers in the Cheviot Police Department. The Mayor requested that a brief executive session be held prior to the end of the City Council meeting to discuss the current staff situation. Mr. Murray made the motion to adjourn to executive session at the conclusion of the regular session of Council. Mr. Sunderhaus made the second to the motion with a third from Mrs. Zech. Mr. Dinkelacker asked about the newest officer and if he is a current part-time officer. Mayor Keller explained that Mr. Chappell was a Cheviot Police Explorer and that he grew up in Cheviot. He will graduate from the Police Academy on August 12, 2004.

Law Director's Report

Mr. Waters reported that the requested hearing for the denial of the liquor license for the Irish Pub was set for August 19, but that Chief Voss will be unable to attend on that date. Mr. Waters sent a request to reschedule that date. The Charles Donnelson lawsuit against the Cheviot Police Department is continuing, with deposition scheduled for October 15, 2004. Mr. Waters stated that he doesn't expect this to go to trial until late 2005.

Committee Reports

Ward 1 - Mr. Murray had no formal report.

Ward 2 - Mr. Dinkelacker had no formal report, but he did mention that information about Water In Basement incidents in Cheviot has been submitted to him. From January 1, 2004 until July 23, 2004 there were 3 basement clean-ups in the City of Cheviot. There was much discussion.

Ward 3 - Mr. Sunderhaus made a motion *Supporting The Drug Abuse Resistance Education Program And Authorizing The Police Department To Apply To The Ohio Attorney General's Office For The Continuing Efforts Of The Drug Abuse Resistance Education (DARE) Program, And Declaring An Emergency* with a second from Mrs. Zech. The motion passed 6-0 by voice vote and was assigned as RES04-11. Mayor Keller reminded Mr. Sunderhaus that the CCLT has request that all City Employees be trained in CPR. He would like for all of City Council to receive CPR training and he would like Mr. Sunderhaus to coordinate that effort.

Ward 4 - Mrs. Gooch did not forward a formal report. Mr. Mestemaker made a motion *To Amend The 2004 Annual Appropriations; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 6-0 by voice vote and was assigned as ORD04-19. Mr. Murray made the motion to suspend the rules. Mr. Mestemaker made the second. The motion passed 6-0 by roll call vote. Mr. Dinkelacker made a motion to adopt with a second from Mr. Sunderhaus. The motion carried 6-0 by roll call vote. Mr. Mestemaker then made a motion *To Authorize The Placement Of A 6.5 Mill Operation Levy On The November 2, 2004, Ballot; And To Declare An Emergency*. Mr. Murray made the second. The motion passed 6-0 by voice vote and was assigned as RES04-12. Mr. Mestemaker mentioned that a Finance Committee meeting will need to be scheduled with all of Council, but that it can be done at the next Council Meeting.

Council at Large - Mr. Mestemaker made a motion *To Accept The Bids Of The R.A. Miller Company And Larry Smith Contractors For The Cheviot 2004 Street Improvement Project; And To Declare An Emergency*. Mr. Norman made the second. The motion carried 6-0 by voice vote. The motion was assigned as ORD04-20. Mr. Murray made a motion to suspend the rules with a second from Mr. Mestemaker. The motion passed 6-0 by roll call vote. Mrs. Zech made a motion to adopt with a second from Mr. Sunderhaus. The motion carried 6-0 by roll call vote. Mr. Mestemaker reported that the Streets, Sidewalks, and Lights Committee will be following up with the residents of Meyerfeld regarding their recent complaints of speed on their street.

Council at Large - Mrs. Zech had no formal report.

Council at Large - Mr. Norman had no formal report. He thanked Mr. Charles Zech for his baby-sitting abilities during the Council meeting.

Further Business

Mr. Murray made a motion to receive and file the Mayor's Court receipts for July, 2004. Mr. Sunderhaus made the second. The motion carried 6-0 by voice vote.

Correspondence

There was one report from the building department. A notice from the Ohio EPA for a 401 application was received for the property located behind Bob Evans Restaurant on North Bend Road in Green Township. The Ohio Coalition of Government sent a news letter. A notice of the date of the liquor license hearing was sent.

Council Adjourned to executive session at 8:00 P.M.

There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Sunderhaus. The motion passed 6-0 by voice vote. The meeting adjourned at 8:17 P.M.

Ryan T. Zech
Clerk of Council

James E. Morganroth
President of Council