

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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August 19, 2003

The regular session of Council was called to order at 7:38 P.M. with the Pledge of Allegiance and a moment of prayer. Roll call was taken and the following were found in attendance:

President of Council	Samuel D. Keller
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 E. Morganroth
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 Mrs. Zech. The motion passed 6-0 by voice vote. The minutes of August 5, 2003 were approved. President Keller called for the reports that would be presented.

Recognition of the Public

Mr. Jerome Hicks of 3827 Kenker addressed Council about a problem that he has with sewage backup into his basement every time it rains. He stated that he believed that the City of Cheviot was at fault not the Metropolitan Sewer District or the County. He said that the Hamilton County Commissioners offered in 1996 to repair the problems in Cheviot if the City of Cheviot paid half of the repair cost. He said that the City refused to pay for the problem. There was much discussion and explanation. Mr. Keller offered to make a copy of the 1968 agreement between the City of Cheviot and the Metropolitan Sewer District available to those that wanted a copy. Mr. Keller along with other members of Council explained to the residents in attendance that the agreement clearly spells out that the City gave the sewer and all the benefits, expenses, etc. to Hamilton County. The City has the stance that it should not have to pay for the sewers since the City does not receive any of the income from MSD. There was much more discussion. The WCPO Channel 9 I-team entered at 7:55 P.M. and temporarily disrupted the meeting. Mr. Keller asked Mr. Waters to offer a legal opinion on the Contract between the City of Cheviot and the Metropolitan Sewer District. Mr. Waters will attempt to have the opinion issued by the September 2, 2003 meeting of Council. Mr. Neal told Mr. Hicks that he would attend the Hamilton County Commissioners Meeting with Mr. Hicks on September 4, 2003. There was much discussion. Mr. Dinkelacker told Mr. Hicks that he should attend the Sewers Committee meeting on Tuesday, August 26 at 6:30 P.M. at Cheviot City Hall.

Don Bender of 3822 Olivette Avenue stated that he too has back-up problems and that he's concerned that the property values within the City of Cheviot will drop. There was much discussion.

Rhonda Hendrickson of 3825 Kenker approached Council to show photos of her yard and basement during a back-up. She feels that the City is at fault, not the County or the Metropolitan Sewer District. She doesn't feel like the City has done anything. There was some discussion.

Scott Kirk of 3860 Olivette approached Council to state that he doesn't think the City is doing anything to solve the problem of the sewer back-ups. He informed Council that his dog nearly drowned on night when his basement flooded. Council asked if the previous owner had disclosed the flooding. Mr. Kirk said no. There was some discussion.

Mr. Keller went on to explain that he wished the City of Cheviot had the money to fix the problem, but that the problems in the City would take millions of dollars which Cheviot does not have. He reminded those in attendance that he would have the Law Director give a legal opinion on the 1968 agreement the City of Cheviot has with MSD.

Mr. Hicks re-approached Council with more discussion and announced that the County has plans in the works to correct the problem on Olivette. There was much more discussion.

Carrie Sheer of 3858 Olivette approached Council to say that she wouldn't mind paying more to get this problem corrected, as she used to live at Hidden Valley Lake and these expenses were covered by the home owners association.

Safety Service Director's Report

Mr. Neal reported that construction on Meyerfeld and Glenmore is going to be delayed until after the Harvest Home Fair. He also reported that Hamilton County wants to repair the intersection of Northbend Road at Westwood Northern Blvd. Since half of that section of road is Cheviot's the County wants Cheviot to pay for half of the repair. Mr. Neal reported to the County that the City did not have the budget for the repair and he was told to apply for a Municipal Road Funds. The City was awarded the \$25,000 in grant money from the County to fix that section of North Bend Road. Mr. Neal has a need for an Ordinance which authorizes the Hamilton County Auditor to add charges to the property taxes for sidewalk replacement and/or removal of tall grass and weeds to several properties with-in Cheviot. Mr. Neal then reported that the Harvest Home Parade will be on September 4. He informed Council that they have been moved to Bridgetown Road in front of the CVS Pharmacy. Mr. Neal added that he is very sympathetic with the people that are having back-ups, and reminded them to continue to call MSD whenever they have a back-up so that MSD knows that Cheviot is a problem area. Mr. Murray asked what the timeline for the N. Bend Road project was. Mr. Neal responded that it should be completed by the end of this year. Mr. Neal left Council to talk to the residents which attended Council and to close the pool.

Mayor's Report

Mayor Laumann was not in attendance and did not leave a report.

Law Director's Report

Mr. Waters informed Council that he would put the legal opinion together as soon as possible. He told Council that he had 6 tax collection suits to collect on. He has served notice on all but one. Of the five that have received notice, only one has requested a trial. Mr. Mestemaker made a motion *To Approve A Contract With Hamilton County, Ohio, For The Sharing Of Costs In The Resurfacing Of North Bend Road; To Authorize The Mayor To Enter Into The Said Contract On Behalf Of The City; And To Declare An Emergency* with a second from Mr. Murray. The motion carried 6-0 by voice vote and was assigned as ORD03-20. Mr. Murray made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 6-0 by roll call vote. Mr. Morganroth made a motion to adopt with a second from Mr. Murray. The motion passed 6-0 by roll call vote. Mr. Mestemaker made a motion *To Certify To The County Auditor Certain Property Tax Assessments For The Removal Of Noxious Weeds And Sidewalk Repair; And To Declare An Emergency.* Mrs. Zech made the second and the motion passed 6-0 by voice vote. The motion was assigned as ORD03-21. Mr. Murray made the motion to suspend the rules with a second from Mr. Norman. The motion carried 6-0 by roll call vote. Mr. Mestemaker made a motion to adopt with a second from Mr. Dinkelacker. The motion passed 6-0 by roll call vote. Mr. Keller asked Mr. Waters to inform Mr. Zech when he has completed the legal opinion. Mr. Keller then requested another meeting of the Sewers Committee on September 2, at 6:30 P.M. before the City Council meeting scheduled that night. He suggested that Mr. Dinkelacker should attempt to get the director of MSD to attend.

Committee Reports

Ward 1 - Mr. Murray had no formal report. Mr. Murray reminded residents that this was the final week at the Cheviot Municipal Swimming Pool. He told Council he believed that the total revenue was down from previous years. He commended Mr. Neal for all his work with the pool and also wanted to commend the staff at the Pool for all their hard work. He announced that the last CAP movie in the park for this season would be on August 22 at 8 P.M. in the barn at Harvest Home Park. Finally, Mr. Murray reminded the

public that the Cheviot Citizens Police Academy will begin shortly and that there are still openings for those that interested in attending. This is the 6th Citizen's Police Academy. Mr. Waters commended Officer Bob Uhl for the work he does.

Ward 2 - Mr. Dinkelacker had no formal report. He called a meeting of the Sewers Committee on Tuesday, August 26 at 6:30 P.M. at Cheviot City Hall. Mr. Keller reminded him that he would like another meeting on September 2. Mr. Dinkelacker then called for another meeting of the Sewers Committee on September 2 at 6:30 P.M. at Cheviot City Hall. That meeting will be prior to the City Council Meeting.

Ward 3 - Mr. Morganroth had no formal report, but he 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*. Mr. Murray made the second. The motion passed 6-0. The motion was assigned as RES03-14.

Ward 4 - Mrs. Gooch was not in attendance and left no formal report.

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

Council at Large – Mrs. Zech had no formal report. Mrs. Zech called a meeting of the Laws, Rules and Ordinances Committee to discuss the Dog Ordinance on Tuesday, August 26 at Cheviot City Hall immediately following the Sewers Committee meeting.

Council at Large - Mr. Norman had no formal report. He wanted to thank the folks that came to Council; he understands what he's going through as his basement is flooding. He reminded them that they need to be patient as things on a government level often move slowly but that the City is working on it.

Further Business

Mr. Dinkelacker made a motion to receive and file the July 2003 Treasurer's Report with a second from Mrs. Zech. The motion passed 6-0 by voice vote.

Correspondence

The Mayor's Court Dates for the remainder of the year will be September 15, September 29, October 13, October 27, November 10, November 24, December 15, and December 29. All of the Court times begin at 6 P.M. Chief Clark sent notice to Council about a possible September 11 memorial.

There was a motion to adjourn the meeting by Mr. Morganroth with a second from Mr. Norman. The motion passed 6-0 by voice vote. The meeting adjourned at 8:59 P.M.

Ryan T. Zech
Clerk of Council

Samuel D. Keller
President of Council