

MINUTES OF CITY COUNCIL MEETING, CHEVIOT, OHIO

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August 20, 2002

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:

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 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 and Mr. Dinkelacker. Mrs. Zech made a second to the motion. Mr. Morganroth opposed the motion. The motion carried 4-1. The minutes of July 16, 2002 were approved. President Keller called for the reports that would be presented.

Recognition of the Public

Mr. Ed Switzer of 3811 Westwood Northern Blvd. appeared before Council to express his concerns about several things. Mr. Switzer wants signs to be posted that state the fine for loud stereo violation, a sign posting the fine for littering, better enforcement of the loud noise ordinance, a reduction in the distance of the 50 feet rule for the loud stereo ordinance, better enforcement of trucks coming through Cheviot, a stop sign where Trevor and Smith Roads intersect or making Smith Road one way, and speed humps to be installed on Smith Road to slow down speeding. There was much discussion over the topics. Mr. Neal will look into placing signs about the noise ordinance and littering. Mrs. Zech will look at the ordinances of other communities to see if we are still one of the strongest. Mr. Neal will speak with the Police Department about the better enforcement of the speeding and noise ordinances. Mr. Mestemaker will call a Street and Sidewalks Committee meeting to

Pat O'Donnell of 3812 Roswell Avenue was in attendance to work on his Communication Merit Badge for his Eagle Scout. Mr. O'Donnell is a member of Boy Scout Troop 465.

Safety Service Director's Report

Mr. Neal reported that the water main construction on Glenmore Avenue has been finished. Mr. Neal has 13 items on a punch list for Glenmore that will be finished shortly. The same contractor that did Glenmore Avenue was awarded the contract to replace the water main on Robb Avenue. Mr. Neal informed the Cincinnati Water Works that Cheviot would make the contractor adhere to all rules and regulations. He also sent a letter expressing his concern that they selected this contractor. Cinergy is replacing a natural gas main on Bridgetown Road, and the Cincinnati Water Works is replacing the water main on Bridgetown Road as well. A pre-construction meeting was held recently pertaining to the replacement of the water main on Meyerfeld and Taft. The gas main on School Section Road in Cheviot has been replaced and work has moved to the Green Township section of the road. Work on those roads should begin in a few weeks. The gas main on Smith Road has been replaced and the water main replacement should begin in mid-September. The construction company states that the road reconstruction should be finished this year. Mr. Neal reported that the SKIP application listed Bridgetown Road as one of the streets for consideration. After the application was sent, Mr. Neal was informed that the Water Works was going to repave one side of the road while Cinergy was going to pay for the other side. The downside of them repairing the road is that the roads will not get full depth repair. On August 2nd, Mr. Neal attended the Northbend Road corridor study along with Mr. Murray and foreman Tom Braun. The study group asked for a copy of all accident reports on North Bend Road in Cheviot. The Police Department is currently working on the requests. Mr. Neal reported that this is the last week for the Cheviot Pool. The pool has exceeded in \$47,200, which is the most the pool made in its history. This year was also marked the most expenses. The Baby Pool filter needed to be replaced, the purchase of the new water slide, the pool water heater also failed. There was around \$4000 in purchases that should not occur again. Mr. Neal congratulated the managers for a great job. Mr. Neal notified Council that he

will be asking for Council's permission at the next meeting to advertise for ice control salt bids. Mr. Neal also wanted to remind Council that the Harvest Home Parade will be on September 5, 2002 and that Council will be in slots 7, 8, and 9 and form on Bridgetown Road. He suggests that Council meets there as close to 5 P.M. Mr. Mestemaker had questions about Bridgetown Road and the quantity of salt that the City still has. Mr. Morganroth was wondering what Cheviot was doing for September 11th. Mr. Neal said that all City Flags will be lowered to half mast and that the flags will be placed on Harrison Avenue. Mr. Murray thanked Mr. Neal for painting the lines on the basketball courts at Harvest Home Park.

Mayor's Report

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

Law Director's Report

Mr. Waters reported that the Solicitation Ordinance has been drafted and forwarded to Mrs. Zech, and that the Tax Ordinance and the Cell Tower Ordinance have been drafted and will be available for passage at the next meeting. Mr. Waters is working on an opinion for the Building Department pertaining to Billboards and an opinion for Mr. Neal pertaining to a property transfer of a piece of land the City owns. Mr. Schmitt, the Assistant Auditor had asked for an opinion pertaining to an affirmative action report that needed to be filed. Mr. Waters is working on a case for the City where a defendant's car was impounded because due to the second DUI charge. The defendant was found not guilty and the court ordered that the defendant's car be returned. A \$1200 charge had been accrued by the company that held the car for the City. The Judge ordered that the City of Cheviot pay for the storage of the car. Mr. Waters contends that the State of Ohio forced Cheviot to impound the car and that the City was not a party to the action and therefore the City should not have to pay for the impounding of the car.

Committee Reports

Ward 1 - Mr. Murray had no formal report. Mr. Murray reported that the 143rd Harvest Home Fair is 16 days away. The Parade begins on Thursday, September 5th at 6:00 P.M. The theme for this year's fair is Salute to Fire Services. The organizers of the parade request that those that participate and those along the parade route wave American Flags as a tribute to those that died on September 11th. Mr. Murray announced that the final CAP sponsored movie in the park would be at 7:30 P.M. at Harvest Home Park Barn on Friday, August 23rd. Mr. Murray called for a meeting of the Parks and Playgrounds Committee on Saturday, August 31st at 10:30 A.M. at Cheviot City Hall to discuss the final figures of the pool and to meet with representatives from the YMCA to discuss the summer camp that they hold at the Cheviot Field House. Mr. Keller wanted Council to pass a resolution to thank Mr. Neal for all the extra hard work that he puts in running the pool. Mr. Murray added that Mr. Neal opens the pool on weekends so that the City does not need to pay the other employee's overtime.

Ward 2 - Mr. Dinkelacker did not leave a report.

Ward 3 - Mr. Morganroth had no report

Ward 4 - Mrs. Gooch did not leave a report. Mr. Mestemaker made a motion *To Establish A New Budget Line Item; To Amend Certain Appropriations; And To Declare An Emergency*. Mr. Murray made the second. Mr. Morganroth had a question about a \$.10 difference between Section 2 and Section 3. Mr. Waters explained that the difference is needed to balance the books. There was some other discussion. The motion carried 5-0 by voice vote. The Ordinance was assigned as ORD02-24. This constituted the first reading of this ordinance.

Council at Large - Mr. Mestemaker had no report. Mr. Mestemaker called for a Streets and Sidewalks Committee meeting on Saturday, July 31st following the meeting of Parks and Playgrounds meeting at Cheviot City Hall.

Council at Large - Mrs. Zech made a motion *To Amend Sections 110.70, 110.72, and 110.77 Of The Cheviot Code Ordinances; and To Declare An Emergency*. Mr. Mestemaker made the second. The Ordinance passed 5-0 by voice vote and was assigned as ORD02-25. This constituted the first reading of this ordinance. Mrs. Zech also requested that the person that sent the anonymous letter to contact her as she wants to correct the problems, but needs more input.

Council at Large - Mr. Norman had no report.

Further Business

Mr. Mestemaker made a motion to receive and file the June and July Treasurer's Reports with a second from Mr. Murray. The motion passed 5-0 by voice vote. Mr. Morganroth made a motion to receive and file the Mayor's Court Receipts for July. Mrs. Zech made the second and the motion passed 5-0 by voice vote. Mr. Keller mentioned that the City had received the results of the State Audit and that the City had undergone one of the cleanest Audits. Mr. Keller congratulated the City's Auditors for a job well done.

Correspondence

The Mayor's Court Dates for the remainder of 2002 were announced. A liquor license transfer request for Maury's Tiny Cove was received and due to no complaints from the Police Chief or Council it was sent to the State with a request for no hearing. The Ohio Municipal League sent a copy of the Report of the 2002 Survey of Salaries of Elected and Appointed Officials and Selected Employee Classifications in Cities. A newsletter from the State Auditor was received. A letter from the Ohio Police & Fire Pension Fund was received. An invitation from the Ohio Municipal League to attend the annual conference was also received. Mr. Mestemaker suggested that the members of Cheviot Council should attend this conference. Mr. Waters had received a notice that the City is no longer liable for injuries that might be incurred at a park or a skateboard park. Mr. Murray wanted to remind the public that the fifth class of the Cheviot Citizens Police Academy will begin on September 12. There are some positions in the academy still available and if interested Officer Bob Uhl should be contacted at (513) 661-2700.

There was a motion to adjourn the meeting by Mr. Morganroth with a second from Mr. Mestemaker. The motion passed 5-0 by voice vote. The meeting adjourned at 8:25 P.M.

Ryan T. Zech
Clerk of Council

Samuel D. Keller
President of Council