

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

Page 1 of 3

August 21, 2007

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	Deborah M. McKinney
Law Director	Mark G. Waters
Safety Service Director	Steven O. Neal
Council 1 <sup>st</sup> Ward	Ryan T. Zech
Council 2 <sup>nd</sup> Ward	Dennis T. Dinkelacker
Council 3 <sup>rd</sup> Ward	James F. Sunderhaus
Council 4 <sup>th</sup> Ward	Greg J. Stautberg
Council at Large	Kathleen S. Zech
Council at Large	Charles L. Norman
Council at Large	Steven L. Braun

The minutes of August 7<sup>th</sup>, 2007 were approved. President McKinney called for the reports that would be presented.

### **Recognition of the Public**

Tracy Iliff of 3728 Frances Avenue came before Council to discuss her neighborhood's concern with a nuisance property located at 3724 Frances Avenue. Mrs. Iliff informed Council that the renters of this property have dogs and kids that are causing trouble for neighbors; that there are at least 18 people living at the property between the house, the garage, and a van in the driveway; that neighbors feel threatened by the renters of the property; that trash and mattresses have at different times been scattered about the property; that they have had raccoon problems as a result of the way garbage is kept at the property and that similar problems been going on for several years not just at this property, but all around Cheviot. Mrs. Iliff read a letter addressed to Council on behalf of 49 residents in the neighborhood asking Council to address the problems at this property and with its owner, CPA1 Holdings LLC, 4677 Delhi Pike, Cincinnati, OH 45238. (This letter is on file at City Hall.) Mrs. Iliff offered a few suggestions to help begin to address these types of issues in Cheviot, including starting a neighborhood watch program of residents who can report property maintenance issues to the City. Mrs. Iliff then asked how the City would be addressing this matter and how soon this would take place. Mr. Neal informed Mrs. Iliff that over the past two years there have been 120 foreclosures in the city of Cheviot and that this has created a vicious circle of LLC's buying these properties and turning around and renting them to people with Section 8 vouchers. Mr. Neal stated that this is what led to the newly created Property Maintenance Inspector position for the City and that City Council is working with the Hamilton County Metropolitan Housing Authority to go after the owners of these properties. Mrs. Zech said that the County can either remove the tenants who are creating the nuisance or remove the property owners from the list of renters who can accept Section 8 vouchers. There was much discussion. Mrs. Iliff asked what neighbors can do in the meantime. Mr. Neal asked them to continually call the Police when there is an issue to help create a paper trail, which is necessary to help address these problems with the County. Mayor Keller said that the problem boils down to the fact that some people have different standards of living, and that there are sometimes legal issues which prevent others from having nuisance properties properly taken care of. There was much discussion. Mr. Waters informed everyone that Christopher P. Ahern of Delhi is the actual owner of the property being discussed, and Mrs. Iliff noted that he also owns several other problem properties in Cheviot. Mr. Stautberg informed Mrs. Iliff that he has gathered quite a bit of information on the properties owned by Mr. Ahern and CPA1 Holdings LLC, and Mr. Norman read a draft of a letter he and Mr. Stautberg are sending to the Hamilton County Metropolitan Housing Authority and the Hamilton County Board of Commissioners. Mr. Stautberg informed everyone that he has been in contact with one of the board members, and that they are aware of these specific properties. Mayor Keller recommended that Mr. Stautberg and Mr. Norman attach the residents' letter to the one they are writing. There was much discussion. Mayor Keller thanked everyone for coming and being involved, and asked them to continue calling the Police, Fire Department, and the County when they see issues such as these. There was much discussion.

William Anhofer of 3729 Wilmar Drive informed Council that last Tuesday evening he called the Police several times regarding the dog barking at 3724 Frances Avenue before they finally came around 1:30 A.M., when they informed him that they had cited the owner. Mr. Anhofer said the dog started barking wildly again the next morning, and was later seen running loose through the neighborhood. There was much discussion. Mr. Waters informed Mr. Anhofer that two neighbors must to call the Police for the dog owner to be cited. Mayor Keller said that shouldn't be a problem since so many in the neighborhood have been affected by this property and this dog.

Helen Wegweiser of 3704 Frances Avenue asked if there was any way the City and residents could form a partnership to address the issues at 3724 Frances Avenue. Mayor Keller recommended that residents contact the Police Chief and Fire Chief to discuss working with them. There was much discussion. Mr. Sunderhaus informed Ms. Wegweiser of the City's Citizens on Patrol program.

Lisa Sanders of 3431 St. Ann Place informed Council that she is concerned about some of the new businesses that have recently opened in Cheviot. Ms. Sanders asked if there were any types of conformance laws regarding what types of businesses were allowed in Cheviot. Mrs. Zech said other than zoning laws, there was very little the City could do constitutionally regarding what types of businesses could operate within the city, adding that as long as these businesses follow the law, the City could not discriminate based on morality. Ms. Sanders said that she felt some of these businesses were inappropriate for a small town, and would like to see an ordinance to keep these types of businesses out. There was much discussion.

#### **Safety-Service Director's Report**

Mr. Neal informed Council that the Cheviot Municipal Swimming Pool is now closed, and said he will be sending his report to the Parks and Playgrounds Committee soon. Mr. Neal informed everyone that he will need Council to authorize the Safety-Service Director to advertise for bids to provide ice control salt for the city at the next regular meeting of Council. Mr. Norman asked Mr. Neal about the possibility of pooling our purchase of ice control salt with Green Township. There was much discussion. Mayor Keller commended Mr. Neal for his work with the Cheviot Municipal Swimming Pool. Mr. Neal added that the Pool is completely self sufficient, and that no taxpayer money has ever been used in his time as Safety-Service Director for operation of the Pool.

#### **Mayor's Report**

Mayor Keller informed Council that he and Mr. Sunderhaus recently attended a meeting held by the Hamilton County Commissioners and Cincinnati Mayor Mark Mallory regarding the region's Census figures. Mayor Keller stated that Cincinnati has successfully challenged its Census figures and asked all cities in the County to do so. Mayor Keller informed everyone that he and Mr. Neal are beginning work to challenge Cheviot's Census figures, adding that additional federal and state funding will be available if they can raise the figures. Mayor Keller informed Council that he will ask for a brief Executive Session at the end of this meeting to discuss a personnel issue. Mrs. Zech made a motion to adjourn to Executive Session once Council business is complete with a second from Mr. Sunderhaus and a third from Mr. Stautberg. The motion passed 7-0 by voice vote.

#### **Law Director's Report**

Mr. Waters informed Council that the City has received the update from American Legal Publishing for our Code Book, adding that he would have an adoption ordinance ready for the next regular meeting of Council. Mr. Waters updated Council on an employee grievance issue. Mayor Keller updated Council on a proposed change in the contract with the City's Public Works employees.

#### **Committee Reports**

Ward 1 - Mr. Zech had no formal report.

Ward 2 - Mr. Dinkelacker had no formal report. Mr. Dinkelacker informed Council that the next Project Impact meeting is scheduled mid-September and updated Council on conceptual plan work being done for the Cemetery Project.

Ward 3 - Mr. Sunderhaus had no formal report. Mr. Sunderhaus informed everyone that the Citizens on Patrol program is still accepting applications, and asked anyone interested to contact the Police Department for more information. Mr. Sunderhaus congratulated the Police Department for their work apprehending the person who recently robbed the Cincinnati Bank on Harrison Avenue. Mr. Sunderhaus informed Council of an upcoming course offered by the Hamilton County Fire Chiefs Association in conjunction with the Ohio Fire Academy to orient elected public officials to the equipment used by firefighters. Mr. Sunderhaus then called a Police and Fire Committee meeting for Thursday, August 30<sup>th</sup> at 6:30 P.M.

Ward 4 - Mr. Stautberg had no formal report. Mr. Stautberg thanked everyone who came to Council to address the nuisance property on Frances Avenue, adding that Council is working hard to address this issue. Mr. Stautberg thanked Mr. Neal and Mrs. Sunderhaus for fielding calls with questions about the city's gas aggregation program, adding that it should be implemented within the next few weeks.

Council at Large – 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. Stautberg. The motion carried 7-0 by voice vote. Mrs. Zech asked Mayor Keller and Mr. Neal if the City could give all businesses within the city a copy of the Sign Ordinance. Mayor Keller said the Safety-Service Director would take care of it. Mrs. Zech made a motion *To Oppose House Bill 154, Which Would Abolish All Mayor's Courts; And Declare An Emergency* with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote and was assigned as RES 07-17. Mrs. Zech informed Council that the Building Department is moving forward with a more aggressive enforcement campaign regarding the Sign Ordinance. There was much discussion.

Council at Large - Mr. Norman had no formal report. Mr. Norman made a motion *To Amend The 2008 Annual Appropriations; To Transfer Funds; And To Declare An Emergency* with a second from Mr. Dinkelacker. The motion carried 7-0 by voice vote and was assigned as ORD 07-21. Mr. Stautberg made a motion to suspend the rules with a second from Mrs. Zech. The motion carried 7-0 by roll call vote. Mr. Sunderhaus made a motion to adopt with a second from Mr. Braun. The motion carried 7-0 by roll call vote. Mr. Norman called a Finance Committee meeting for Thursday, August 30<sup>th</sup> at 7:00 P.M.

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

### **Further Business**

Mr. Zech made a motion to receive and file the July 2007 Treasurer's Report with a second from Mr. Dinkelacker. The motion passed 7-0 by voice vote.

### **Correspondence**

A notice from the Ohio Municipal League regarding an upcoming conference, two Building reports and a Property Maintenance report were received.

Council went into Executive Session at 8:43 P.M. and returned at 9:04 P.M. There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Stautberg. The motion passed 7-0 by voice vote. The meeting adjourned at 9:05 P.M.

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Matthew D. McGowan  
Clerk of Council

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Deborah M. McKinney  
President of Council