

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

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September 5, 2006

The regular session of Council was called to order at 7:31 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	Michael J. Mestemaker
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 15<sup>th</sup>, 2006 and August 23<sup>rd</sup>, 2006 were approved. President Mestemaker 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 announced that the road repair project is underway. Mr. Neal informed Council that the City has received a \$30,000 grant check from the Solid Waste Management District to be used towards the purchase of a new waste collection truck, and that the City should have the new truck sometime this year. Mr. Neal then informed Council that he and Mr. Braun have met with representatives from the Ohio Department of Transportation, as well as City Engineers, to discuss the ODOT grant to replace the traffic signals on Harrison Avenue. Mr. Neal said the estimated cost of the project would be \$656,000, and that the City would be responsible for 20% of that amount. Mr. Neal said the main issue currently being discussed is whether the project will be led by ODOT or the City, and that he is currently evaluating which would be the best option for the City before moving forward. Mr. Neal reminded everyone that the Harvest Home Parade and Fair are taking place this week, and that the roads along the parade route will be closed at 5:30 P.M. on Thursday, September 7<sup>th</sup> in advance of the parade, which starts at 6 P.M.

### **Mayor's Report**

Mayor Keller informed Council that he has recently completed a tour of the newly renovated Cheviot Elementary School. Mayor Keller said that the Cincinnati Public School District has done a very good job with the renovations, but that he did have a few issues that he is addressing with Ms. Maria Bonavita, the principal of the school. Mayor Keller informed Council that he may ask members of Council, the City Administration, and various City Employees to donate some time towards helping to address some of these issues, such as a few areas that still need painted. The Mayor said he was disappointed to learn that the School has been deemed as "in need of improvement" since Cheviot Elementary School has always been rated as one of the best schools in the Cincinnati Public School District. Mayor Keller said that Ms. Bonavita has told him that this slide was due in large part of the ongoing construction at the School, and that she fully expects to reverse that trend this year. The Mayor informed Council that he will continue to monitor the situation. Mayor Keller then thanked Council, as well as the Law Director, for all their hard work over the past 6-8 months.

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

Mr. Waters informed Council that he has completed work on an ordinance to correct a clerical error on ORD 06-15. Mr. Waters then informed Council that the ordinance to be voted on later in the meeting to assess unpaid sidewalk and grass cutting fees does not include unpaid garbage collection fees. Mr. Neal

added that this ordinance only covers grass cutting fees from this year, and that the ordinance covering garbage fees also covers property maintenance fees from 2005.

### **Committee Reports**

Ward 1 - Mr. Zech had no formal report, but did inform Council that he is still gathering information surrounding issues at Harvest Home Park that the Mayor asked Council to address, and that he will be meeting with the Police Chief on the matter later in the week. Mr. Zech said the Cemetery Project is still moving forward; Mr. Norman added that he has some additional information for Mr. Zech on this issue. Mr. Zech informed everyone that the parade will again be televised this year, and that there will be a new "sports bar" at the Harvest Home Fair this year. Mr. Neal asked Mr. Zech to elaborate on the "sports bar" as well as other changes taking place with the Harvest Home Fair this year. Mr. Zech informed everyone that there will be several televisions set up in the main shelter area, and that the main stage will be moved to the blacktop area in front of the barn. Mr. Zech said this was done to attract larger name entertainment to perform at the Fair this year. President Mestemaker recognized Mr. Zech for the new microphones and cabling being used for the City Council broadcast.

Ward 2 - Mr. Dinkelacker had no formal report. Mr. Dinkelacker informed Council that the City has had two meetings with the Hamilton County Regional Planning Commission regarding the Economic Development Plan, and announced the next meeting would take place on Wednesday, September 13<sup>th</sup> at 6:30 P.M. in the Fire Department

Ward 3 - Mr. Sunderhaus had no formal report. Mr. Sunderhaus announced that a CPR class would be held on Wednesday, September 13<sup>th</sup> at City Hall, and that anyone interested in participating should contact the Fire Department. Mr. Sunderhaus informed everyone that a new Citizen Complaint Form has been finalized and is now available outside the Police Department offices. Mrs. Zech asked if the CPR class would be held in the Fire Department and if that would conflict with the meeting with the Hamilton County Regional Planning Commission. Mr. Neal said if there was a conflict the HCRPC meeting could be moved upstairs in City Hall.

Ward 4 - Mr. Stautberg read a report of the Public Utilities Committee into the record. Mr. Sunderhaus made a motion to receive and file the report with a second from Mr. Zech. The motion carried 7-0 by voice vote. Mr. Stautberg informed the public that a special meeting of Council was held on August 23<sup>rd</sup> to pass an ordinance to place the gas aggregation issue on the November ballot, and that the issue will be on the ballot in November. Mr. Stautberg then said he hoped everyone has a good time at the Harvest Home Fair this weekend, and reminded everyone that admission before 3 P.M. is free.

Council at Large - Mrs. Zech had no formal report. Mrs. Zech then gave the sixth reading of the proposed Sign Ordinance. Mrs. Zech announced a Public Hearing on the issue for Wednesday, September 27<sup>th</sup> at 7 P.M. at City Hall. Mrs. Zech then called a meeting of the Laws, Rules, and Ordinances Committee for Tuesday, September 12<sup>th</sup> at 7 P.M. to discuss a few issues surrounding the proposed Sign Ordinance. Mr. Waters informed everyone that copies of the current draft of the proposed Sign Ordinance are available for review.

Council at Large - Mr. Norman had no formal report. Mr. Norman made a motion *To Correct A Clerical Error In Ordinance No. 06-15; And To Declare An Emergency* with a second from Mr. Braun. The motion then carried 7-0 by voice vote and was assigned as ORD 06-25. Mrs. Zech made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mr. Stautberg made a motion to adopt with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote. Mr. Norman made a motion *To Certify To The County Auditor Certain Property Tax Assessments For Sidewalk Repair And Property Maintenance; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion then carried 7-0 by voice vote and was assigned as ORD 06-26. Mr. Zech made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion to adopt with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote. Mr. Norman made a motion *To Amend The Annual Appropriations; And To Declare An Emergency* with a second from Mr. Sunderhaus. The motion then carried 7-0 by voice vote and was

assigned as ORD 06-27. Mr. Zech made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mr. Sunderhaus made a motion to adopt with a second from Mr. Stautberg. The motion carried 7-0 by roll call vote. Mr. Norman made a motion *To Increase The Compensation Rates For Administrative Personnel; And To Declare An Emergency* with a second from Mr. Dinkelacker. The motion then carried 7-0 by voice vote and was assigned as ORD 06-28. Mrs. Zech made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mr. Waters noted a clerical error in the ordinance and asked that everyone correct it before adopting the ordinance. Mr. Zech made a motion to correct the error with a second from Mr. Norman. The motion carried 7-0 by voice vote. Mr. Dinkelacker made a motion to adopt with a second from Mr. Norman. The motion carried 5-0-2 by roll call vote with Mr. Sunderhaus and Mr. Braun abstaining.

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

### **Further Business**

Mr. Sunderhaus made a motion to receive and file the August 2006 Mayor's Court Receipts with a second from Mr. Zech. The motion passed 7-0 by voice vote. Mr. Zech reminded everyone that due to the Harvest Home Fair, some of the streets surrounding the Park will be temporarily switched to one-way streets. Mr. Waters informed Council that he has been notified by the Hamilton County Prosecutor that a sex offender is now residing on Washington Avenue, and that the Prosecutors office is suing him to forcibly evict him from the residence as he is within 1000 ft. of Cheviot Elementary School. Mr. Waters said he would keep Council updated on the matter.

### **Correspondence**

Five Property Maintenance reports, an advertisement from The Flag Lady Inc., information regarding an educational luncheon on special assessments and TIFs from Bricker & Eckler LLP Public Sector Group, a listing of upcoming Mayor's Court dates, a featured speaker update from the Ohio Municipal League regarding their upcoming annual conference, and a copy of *Cities and Villages* from the Ohio Municipal League were received.

Mr. McGowan added that he has a list from his brother, who is currently serving in the Persian Gulf, of personal items the soldiers in his unit could use, and that if anyone was interested in donating, they should contact him via email through the City of Cheviot's website.

There was a motion to adjourn the meeting by Mrs. Zech with a second from Mr. Zech. The motion passed 7-0 by voice vote. The meeting adjourned at 8:08 P.M.

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Matthew D. McGowan  
Clerk of Council

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Michael J. Mestemaker  
President of Council