

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

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December 6, 2005

The regular session of Council was called to order at 7:32 P.M. The Pledge of Allegiance and a moment of prayer were held. 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 <sup>st</sup> Ward	Michael J. Murray
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	Michael J. Mestemaker

Mr. Morganroth noted a correction to the minutes. The minutes gave credit to Mr. Mestemaker for making a comment that Mr. Morganroth made. The corrected minutes of November 15, 2005 were approved. President Morganroth called for the reports that would be presented.

### **Recognition of the Public**

No one wished to speak.

### **Mayor's Report**

Mayor Keller gave his report first so that he could leave early for a family matter. Mayor Keller explained that the City has hired Bill Spurling to be the new building commissioner. Mr. Spurling replaces Mr. Meyer who announced his resignation. Mr. Spurling has selected former Cheviot Building Department employee Fred Brown to replace Mr. Schmitz who also resigned his position as Building Inspector. The Building Department has decided to move the hours of operation back to Wednesday night from 7:00 P.M. until 9:00 P.M. and Saturday from 9:00 A.M. until 12:00 P.M. Mayor Keller also explained that he hopes to appoint housing officers in January 2006. He had explained what the housing officers are going to try to accomplish to the Cheviot Seniors meeting and reported that the Cheviot Seniors all endorse this idea.

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

Mr. Neal explained that he would not be able to attend the December 20 Council meeting since that is the night that he takes the City Hall Staff out for Christmas. He also reported that leaf collection has wound down and therefore the City of Cheviot will end leaf pick-up later in this week. Mr. Neal then explained that the Department of Community Development have Darwin Avenue in Cheviot scheduled for repair in 2006 and that Cheviot is just waiting for the Hamilton County Commissioners to approve this \$150,000 expenditure. In addition, Gamble Avenue rated number 5 on the State's Capital Improvement Fund list. To the best of Mr. Neal's knowledge, the first 12 projects will get funding. The 2006 streets to be repaired look to be Gamble Avenue, Everett Avenue, Lovell Avenue from Harrison Avenue to Harding Avenue, Darwin Avenue from Glenmore to Mayfair and Dina from Glenmore to Albert Street. The total construction amount is expected to be around \$900,000. Mr. Neal explained that he was still working on the wish list for repairs to City Buildings which can be accomplished with the recent approval of the tax levy. He explained that the first priority will be the Cheviot Fieldhouse. He hopes to sandblast and tuck point the exterior of the building along with paint it. He is also hoping to re-blacktop the parking lot and resurface the tennis courts. Mr. Neal reported that the quarterly appropriations are complete except from the Police and Fire Departments. There was much discussion about what repairs the levy money can or can not be used for.

**Law Director's Report**

Mr. Waters reported that the Ohio Division of Liquor Control has denied the City of Cheviot's request to not renew the license for Stewart's Irish Pub. Mr. Waters explained that the City of Cheviot has 30 days from the date the amended notice was sent to appeal. Mr. Waters then reported that the F.O.P., the union for the City's Police has sent notice that they want to open negotiations for the City's Police Officers and Sergeants. He reminded Council that the Mayor handles the negotiations and that Council must approve the contract. There was much discussion about appealing the Liquor Control Board's decision.

**Committee Reports**

Ward 1 - Mr. Murray had no formal report. He made a request that a senior member of Council sit on each of the committees when the new Council is sworn in on January 1, 2006.

Ward 2 - Mr. Dinkelacker had no formal report. He reported to Council that a resident of 3980 Washington Avenue has approached him about the noise from the trash removal at the Auto Zone on the corner of Washington and Harrison Avenues. Mr. Neal jumped in and explained that this has been addressed 2 times before and that the trash removal company seems to be the one that keeps reverting the time back to the very early morning. Mr. Dinkelacker then explained that he talked with an associate of his business about creating a comprehensive long term plan for the City of Cheviot. Mr. Neal explained that he had concerns about the cost. Much discussion followed.

Ward 3 - Mr. Sunderhaus had no formal report but he asked that the new Council work on ways to encourage owner-occupied homes.

Ward 4 - Mr. Stautberg read a report of the Finance Committee into the record. Mr. Stautberg made a motion to receive and file the report with a second from Mr. Mestemaker. The motion passed 7-0 by voice vote. Mr. Stautberg made a motion *To Transfer Funds; And To Declare An Emergency* with a second from Mr. Murray. The motion passed 7-0 by voice vote and was assigned as RES05-24. Mr. Stautberg then made a motion *To Amend The 2005 Annual Appropriations For Certain Budget Line Items For The Fire Department; And To Declare An Emergency* with a second from Mr. Mestemaker. The motion passed 7-0 by voice vote and was assigned as ORD05-29. Mr. Mestemaker made a motion to suspend the rules with a second from Mr. Sunderhaus. The motion carried 7-0 by roll call vote. Mr. Norman made a motion to adopt with a second from Mr. Dinkelacker. The motion carried 7-0 by roll call vote. Mr. Stautberg then made a motion *To Amend The 2005 Annual Appropriations; And To Declare An Emergency* with a second from Mr. Mestemaker. The motion carried 7-0 by voice vote and was assigned as ORD05-30. Mr. Murray made a motion to suspend the rules with a second from Mrs. Zech. The motion passed 7-0 by roll call vote. Mr. Sunderhaus made a motion to adopt with a second from Mr. Dinkelacker. The motion passed 7-0 by roll call vote.

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

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. Mestemaker. The motion carried 7-0 by voice vote. Mrs. Zech called a meeting of the Laws, Rules and Ordinances Committee at Cheviot City Hall on Tuesday, December 13 at 6:30 P.M. Mrs. Zech made a motion *To Amend § 70.13(E) Of The Cheviot Revised Code Of Ordinances; And To Declare An Emergency* with a second from Mr. Murray. The motion carried 7-0 by voice vote and was assigned as ORD05-31. Mr. Mestemaker 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. Murray. The motion carried 7-0 by roll call vote. Mrs. Zech made a motion *To Amend § 76.42 (B) Of The Cheviot Code Of Ordinances; And To Declare An Emergency* with a second from Mr. Mestemaker. The motion passed 7-0 by voice vote and was assigned as ORD05-32. Mrs. Zech made a motion to suspend the rules with a second from Mr. Sunderhaus. The motion passed 7-0 by roll call vote. Mr. Murray made a motion to adopt with a second from Mr. Dinkelacker. The motion passed 7-0 by roll call vote. Mrs. Zech made a motion *To Amend § 76.99 Of The Cheviot Code Of Ordinances; And To Declare An Emergency* with a

second from Mr. Murray. The motion passed 7-0 by voice vote and was assigned as ORD05-33. Mr. Sunderhaus made a motion to suspend the rules with a second from Mr. Dinkelacker. The motion passed 7-0 by roll call vote. Mrs. Zech made a motion to adopt with a second from Mr. Norman. The motion carried 7-0 by roll call vote. Mrs. Zech explained that there were still two additional ordinances which should be ready at the next meeting.

Council at Large - Mr. Norman had no formal report. Mr. Norman called a meeting of the Building and Annexation Committee for Tuesday, December 13 at 6:00 P.M. at Cheviot City Hall.

### **Further Business**

Mr. Mestemaker made a motion to receive and file the November 2005 Mayor's Court Receipts with a second from Mr. Sunderhaus. The motion carried 7-0 by voice vote.

Mrs. Zech made a motion to receive and file the October 2005 Treasurer's Report with a second from Mr. Stautberg. The motion passed 7-0 by voice vote.

### **Correspondence**

The Hamilton County Board of Elections sent the Certified Totals of the November Levies. These are on file. Cinergy, the local gas and electric provider sent notice that it is seeking an increase in rates. The Ohio Division of Liquor Control sent 5 copies of it's decision to renew the liquor license for Stewart's Irish Pub against the recommendation of the City of Cheviot.

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 8:17 P.M.

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Ryan T. Zech  
Clerk of Council

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James E. Morganroth  
President of Council