

**ST. BERNARD VILLAGE COUNCIL MEETING  
JANUARY 24, 2013**

The regular meeting of the St. Bernard Village Council met Thursday, January 24, 2013 in Council Chambers.

President of Council, Mr. Michael Peck – The meeting was opened with a prayer followed by the Pledge of Allegiance.

Roll call showed that all members were present: Mr. Tobergte, Mr. Meier, Mr. Holt, Mr. Asbach, Mrs. Schildmeyer, Mr. Culbertson, and Mrs. Bedinghaus.

Motion by Mr. Asbach, seconded by Mr. Culbertson to dispense with the reading of the minutes of the last meeting. Motion passed 7-0.

**REPORTS OF CITY OFFICIALS**

MAYOR, Mr. Burkhardt – The Mayor’s Monthly Court Report Receipts for December, 2012: Mayor’s Court Costs/Fines/Fees/Miscellaneous receipts were \$3,779.76, Bond Forfeiture \$100.00, total to St. Bernard was \$3,879.76. Total to the County was \$27.00. Total to State was \$1,271.00. Total Disbursements were \$5,177.76.

Elaine contacted Philip Nunes, VOA Regional Executive Director, and requested an update on St. Bernard Commons. I would like to read the complete email: We are proceeding nicely, we have our final occupancy that should be issued either this week or early next week.

On January 30, 2013, we will have our Permit to Occupy Meeting whereas the project is signed off as fully completed and the full ownership reverts to our agency from the construction company to begin operation.

We conducted a punch list this past Tuesday and all minor items found will be addressed before the meeting on January 30<sup>th</sup>. The building is BEAUTIFUL! We have hired our new Property Manger and her name is, Nadine Strait; she comes to us with decades of years of experience with Senior Housing and we are excited to have been able to get her on board. Nadine will start next Wednesday, and many people may have remarked that they have not yet been called in for a face to face interview, and as she gets settled next week that is priority one for her to get all who have applied in for their interviews.

I am merely estimating but our first move in may not occur until March 1<sup>st</sup> or so. The rationale is many people will need to give notice to wherever they live at now which we must allow future new tenants to give their 30 day notices.

Again, we are not even thinking of having our first open house until we are 50% occupied, so that may be as late as late March.

Thanks and tell all our friends at St. Bernard I said “Hi”.

Also, we have been provided with new contact information for perspective tenants; her name is Paula Burge – (419) 756-8551.

Please join us for Boy Scout Night at Council on Thursday, February 7<sup>th</sup>. Scouts from Troop 354 have agreed to participate again this year.

I will have the final terms of employment to Council for the Fire Department by Monday for your review.

AUDITOR, Mrs. Brickweg – As requested the Auditor’s office has multiple Ordinances and one Resolution for tonight’s meeting.

Resolution No. 1, 2013 authorizes the use of Village funds to purchase meals or refreshments for Village employees and others. This is a standard Resolution that needs to be voted on every year according to Ohio Law. Examples of when this comes into play are on Boy Scout and Girl Scout night at Council and the Christmas Open House, where the Village provides refreshments. It also is used when an employee attends a seminar which costs money and food is included and other events similar to this.

Ordinance 5, 2013 authorizes the Auditor to transfer and move funds. Starting this year we will be using new terms with our Appropriation Ordinances. I discussed these with the State Auditor and he recommends we the terms “transfer and move” which are the correct ones to use. The term “transfer” will be used when transferring from one fund to another. In the case of tonight’s Ordinance we are transferring \$500,000.00 out of the general fund into the employee healthcare fund. This will prevent any confusion since these are not additional appropriations. The term “moving” will be used when moving appropriations from one line item to another in the same fund. In tonight’s Ordinance we are moving in the general fund:

\$280.00 From: 01-02-B-4 Stationary to: 01-2-C-4 Bureau of Inspection.

The reason for this move is because when the 2013 budget was prepared the appropriation was decreased when cutting back and the line item does not have enough money in it to pay the State Auditors.

\$100.00 From: 01-7-A-11 Furniture & Fixtures to 01-7-A-25 Environmental Emergency Fund.

The reason for this move is because when the budget was created this line item was deleted without the Fire Chief knowing. He informed the Finance Committee that this line item is required by law.

The Auditor Department has provided the Treasurer with the updated Revenue reports he requested.

The bank balances for the Village and the CIC are as follows:

Investments: \$3,400,000.00

Checking Account: \$5,159,671.85

CIC: \$583,819.22

I’d also like to inform everyone that the W-2s are being distributed. They are in your Village mailboxes or if you are a summer employee they are going to be going out in the mail. We did something different this year. We filed the Social Security, part of the W-2 on the internet and magnetically. There were two reasons for that. It should have been being done for many, many years because if you have over 100 employees you’re supposed to do it. We have over 200. So we started doing that this year and hopefully once they get through Social Security and that St. Bernard CIN number which is on your W-2, hopefully all of the information from your W-2 will just come up. That’s the goal. Not guaranteeing it, this is the first year. That’s the hope that is what is going to happen.

At this point I would like to ask the President of Council and the Clerk of Council to take a roll vote regarding the Village’s fixed assets which we discussed at the last COW. Council needs to vote on keeping the amount of fixed assets to start at \$5,000.00 from 2011 and forward.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to take a voice vote to okay that for the Auditor. Motion passed 7-0.

DIRECTOR OF LAW, Mr. Walden – I’m continuing to work with Police Chief Steve Moeller on the issue of how the Affordable Care Act effects the employees and whether their hours can be restored. We have seen further documents today and I will try to get back to Council on that within the next 30 days. I have to get that to the employees who are looking for other employment because of the situation so I’ll try to get right on top of that and report back to Council as soon as I have an opinion.

TREASURER, Mr. Ungruhe – (read by Mr. Stegman)

The monthly Treasurers Report:

Receipts for the month of December 2012: \$ 1,913,637.56

Receipts for the year through December 2012: \$ 16,519,643.16

As the Auditor mentioned at the last Council Meeting, the total revenues for the year was inflated from the Sale of Fixed Assets (\$3,080,000.00) and the Sale of Investments (\$1,020,364.14). Taking this into consideration, “normal” revenues for 2012 amounted to \$12,419,279.02. I have also attached my **Revenue by Funds Report** for the Month of December showing all totals.

I am still waiting for the Auditor to provide me with revised monthly revenue reports for the year. Once they are received, I will up-date all reports for 2012. I apologize for missing tonight’s meeting but I had a commitment with my daughter this evening.

SAFETY DIRECTOR, Mrs. Van Valkenburg – Last week several of us met with representatives of Hamilton County’s Emergency Management Services and their consultants who are with IU seeking a County wide report that’s prepared for FEMA. It’s for the County and communities to hopefully get mitigation FEMA money. One of the goals of it is to identify some organizations that have grants and monies available for counties and other municipalities to get monies, this is mitigation money, to help prepare communities to afford for possible emergency situations. Chief Moeller, Don Moeller and I were speaking with them in regards to finding some money to help get some more equipment for our Fire Dept. that would not need to come out of our citizens budget but are possibly available to us and we will be following up on that.

SERVICE DIRECTOR, Mr. Stegman – I just wanted to report, I gave everybody an email today from ODOT with an attached letter stating that with the dollars that came back, and last week I had given you a breakdown of what it was going to cost, \$1.1 million. Friday I got the call stating that they would like to have more of it broke down. I supplied that to ODOT on Tuesday and also yourselves. We just received a letter today on January 23<sup>rd</sup> that with the amount of money that’s come back ODOT is not going to sell the building back and they’re going to continue on with their project. With that being said I had Mr. Tobergte come into the office today to call Rich Maranucci to find out if it’s a definite answer and there is not any wiggle room for us to come back and he basically said no. They’re not going to sell the property back to the Village, they are going to continue on. I gave everybody in their box a copy in case you didn’t make it home tonight to see your email.

TAX COMMISSIONER, Mr. Geiser – Absent.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Meier – No report.

SAFETY, Mr. Asbach – No report.

SERVICE, Mr. Holt – There will be a meeting with the Hamilton County Recycling and Waste on March 18<sup>th</sup> at 6:30 pm at the main level of the Municipal Building. They will explain how to compost the correct way.

PUBLIC IMPROVEMENTS, Mrs. Schildmeyer – No report.

LAWS, CONTRACTS AND CLAIMS, Mr. Culbertson – No report.

BUSINESS AND INDUSTRY, Mrs. Bedinghaus – No report.

HIGHWAYS AND TRANSPORTATION, Mr. Tobergte – For the month of December there were 1,640 regular Dial-A-Ride riders which brings the year-end total to 22, 229. The medical bus had 19 riders for a year end total of 328. I would also like to thank the St. Bernard Women’s Club for the invitation to speak on Monday the 14<sup>th</sup>.

A couple of meeting notices:

The next Block Party Planning Meeting will be Tuesday, February 19<sup>th</sup> at 7:00pm in Centennial Hall.

The next CIC Meeting will be Wednesday, February 13<sup>th</sup> at 6:00pm at the Lower Level of City Hall.

My first Town Hall Meeting for this year will be Tuesday, February 12<sup>th</sup> at 7:00pm in Centennial Hall.

Mr. Asbach – The COW report has been submitted to the Clerk.

Committee of the Whole  
Jan 17, 2013

1. Council approved the minutes of the Dec 20<sup>th</sup> & 27<sup>th</sup> Council meetings.
2. Mayor Burkhardt gave an update of the CIC properties and reported that the CIC currently controls 42 properties throughout the Village. Some of these properties have been purchased as a result of foreclosure/Sheriff’s sales at extremely low prices. These properties will be held until they are remodeled and placed on the market for sale at market rates. Some of the properties are strategic purchases for necessary future development.
3. Mr. Tobergte asked the Mayor about the letters we keep getting from former Fire Chief Scherpenberg and he said that the Law Director will update Council when it is resolved. He also asked if he could get together with him and the Service Director about the soapbox derby.
4. Auditor, Peggy Brickweg
  - A. Asked Council for a Resolution, for food and drinks, for special events such as Scout nights at Council meetings. Council voted 7-0 to put the Resolution on the table.
  - B. Asked for an Ordinance to move \$500,000.00 from the General Fund to the Employee Health Fund. Council voted 7-0 to place the Ordinance on the table.
  - C. Will ask Council for a voice vote at next week’s Council meeting for fixed assets of \$5,000.00 or more be recorded for this year and future years.
  - D. Told Council that she needed \$280.00 dollars in the State Auditor’s line item. Council asked her to transfer the amount from her other line items, and voted 7-0 to add the transfer to the Ordinance that was already put on the table.

- E. Reported that the Village bank account is \$5,178,947.68 and the CIC is \$584,838.03.
  - F. Said that a resident asked if St Clement could use the lot next to the school until the CIC decides the use for the property.
  - G. Asked about the papers that Paul Meyer has sent out to departments in regards to the bonds, and Mayor Burkhardt said that until all the papers are back he will not have an answer. Mr. Burkhardt was asked who was going to Chicago and he said he didn't know, but if he had to make the decision he would.
5. Law Director, Curtis Walden
    - A. Said that he was working with the Police Chief about the amount of hours that the dispatchers can work because of the Affordable Health Care Act.
    - B. Said that he is looking into how we can transfer, sell equipment, to another Village.
  6. Service Director, Phil Stegman
    - A. Reported that the sale of equipment that the Law Director was talking about was a 1993 dump truck that the Village of Elmwood would like to purchase and it is being looked into.
    - B. Said that he had received a check for \$59,500.00 from the Hamilton County Energy Grant. This was for the energy upgrades that were made a couple of years ago to the buildings/
    - C. Said that Hamilton County Recycling and Waste will have a meeting in the main level of the municipal building on March 18<sup>th</sup> at 6:30 PM. The meeting will be about composting and there will be coupons passed out for discounts on kits.
    - D. Gave everyone copies of emails about the work needed to fix the wall at the Fire House and the estimate was \$1,153,366, which includes permits, fees and insurance. The building couldn't be sold back to the Village until the work passes inspection.
  7. Treasurer, John Ungrhue
    - A. Reported that there is \$5,611.34 in the 4<sup>th</sup> of July Memorial Fund.
  8. Finance, Kevin Meier
    - A. Reported that the committee met Tuesday night with the four larger departments and said that the budget is very tight. Fire Chief Moeller said that he under budgeted for the tuition & training line item, so he might need an additional appropriation in that line item.
    - B. Said that line item 7-A-25 was left unfunded and \$100.00 needed to be put back into the line. Council voted 7-0 to add the transfer to the Ordinance on the table.
  9. Service, Mike Holt
    - A. Reported that St Bernard received \$6,239 in residential recycling dollars. There were also 250 tires collected that saved us \$709.00. Hamilton County sent a direct mail piece to 1,790 St Bernard households to increase recycling at home.
  10. Public Improvements, Diana Schildmeyer
    - A. Gave the following report from the Planning & Development Department: the Building Department is currently conducting on-going inspections on commercial and residential projects worth over \$10 million through October 31, 2012. During that time there were 153 permits issued, OBC and 1, 2 and 3 family constructions:
      - a. OBC regulated construction: year to date 60 permits were issued
      - b. RBC regulated construction: year to date 93 permits were issued.
 Inspections & Plan review: Approximately 323 inspections were made on commercial and residential projects. 63 plan examinations and reviews. HIP: We actively continued the HIP Program inspections. The first two streets for this year will be Vine St and Sullivan Ave. There were 80 initial inspections, 28 follow up inspections, 35 sets of orders issued to date in 2012. Rental Program: this new program is just getting started. We have received over 190 applications with an additional 95 applications mailed to newly discovered rental units. 102 initial inspections, 200 follow up inspections, 0 sets of orders for the rental program, 67 sets of orders issued to date in 2012, 34 "progress of work" inspections. Referrals: referrals to the St Bernard

Property Maintenance Code, 32 initial inspections, 40 follow up inspections, 6 sets of orders.

11. Highways & Transportation, Don Tobergte

- A. Reported that the next Block Party meeting will be held on Monday 1-21-13 at 7:00 PM in the lower level of City Hall.

Audience Participation had a resident ask if committee meetings could be placed on the Village calendar. He also asked why money couldn't be transferred instead of additional appropriations. This is why the transfer's were asked to be made within each department and not to ask for additional appropriations.

Another resident said he was at the EPA meeting last week and had to leave but was disgusted with what happened and wants some action taken. Mayor Burkhardt told him that we have to do what the EPA tells us to do to correct the problem

Respectfully submitted,  
Steve Asbach  
President of Council, Pro-Tem

## **RESOLUTIONS AND ORDINANCES**

Motion by Mr. Asbach, seconded by Mr. Culbertson to read this evenings' Resolutions and Ordinances by title only. Motion passed 7-0.

Mr. Asbach – Before we read Resolution No. 1, 2013, I would like to change where it says ‘I, Sue Kathman, it has the City of St. Bernard, to change that to Village before it’s read so we don’t have to amend it.

**RESOLUTION NO. 1, 2013. AUTHORIZING THE USE OF VILLAGE FUNDS TO PURCHASE MEALS OR REFRESHMENTS FOR VILLAGE EMPLOYEES OR OTHER PERSONS AS SERVING A PUBLIC PURPOSE, AND DECLARING AN EMERGENCY.**

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to suspend with the second and third reading of Resolution No. 1, 2013. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Holt to adopt Resolution No. 1, 2013. Motion passed 7-0.

Mr. Peck – May we please have the second reading of Ordinance No. 2, 2013.

**ORDINANCE NO. 2, 2013. AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$9,500,000.00 OF SPECIAL OBLIGATION INCOME TAX REVENUE BONDS FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVEING A PUBLIC SAFETY FACILITY TO HOUSE POLICE, FIRE, EMS AND OTHER MUNICIPAL OPERATIONS, INCLUDING THE ACQUISITION OF REAL ESTATE AND INTERESTS IN REAL ESTATE, THE CONSTRUCTION, RECONSTRUCTION, RELOCATION, REMODELING, ENLARGEMENT AND IMPROVIMENT OF BUILDINGS AND OTHER STRUCTURES, THE ACQUISITION OF FURNISHINGS, APPARATUS, COMMUNICATIONS EQUIPMENT AND OTHER EQUIPMENT, LANDSCAPING AND MAKING SITE IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES**

RELATED THERETO; PROVIDING FOR THE PLEDGE OF REVENUES FROM THE VILLAGE'S 2.10% INCOME TAX TO SECURE THE PAYMENT OF PRINCIPAL OF AND INTEREST ON THE BONDS; AUTHORIZING THE USE AND DELIVERY OF AN OFFICIAL STATEMENT RELATING TO THE BONDS; AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Holt to suspend with the third reading of Ordinance No. 2, 2013.

## **REMARKS**

Mr. Asbach – I made a motion to suspend with the third reading only because of this letter. Obviously time is of the essence if we have to be out of there by October 1, 2014. That's the reason.

Diane Statt, Rose Hill – (Wanted to compliment Council for moving ahead with the Safety Center. She thought the Center would be a very nice presentation for the entrance to the Village.)

The motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Meier to adopt Ordinance No. 2, 2013 as read. Motion passed 5-2. Mr. Tobergte and Mrs. Bedinghaus voted no.

ORDINANCE NO. 5, 2013. AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER AND MOVE FUNDS AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Meier to suspend with the second and third reading of Ordinance No. 5, 2013. Motion passes 7-0.

Motion by Mr. Asbach, seconded by Mr. Culbertson to adopt Ordinance No. 5, 2013. Motion passed 7-0.

## **OLD BUSINESS**

Mr. Tobergte – A couple of people have been asking about the tax levy, what the money has been spent on. I did a little research. Back in 2010 we spent \$1.9 million on capital improvements which includes parking lots, sidewalks, property purchase, property maintenance, street and sewer repairs, Sullivan Ave., and the Vine St. Streetscape. In 2011 we spent \$2,748,452.00 on the same line items. 2012 we spent \$1,378,013.34. So just so people know we have been spending the money on capital improvements. The only question I have, since Paul is here, we keep hearing Streetscape is \$3.5 million total for the first phase, \$1 million for the second phase. We've already spent almost one half million dollars on Streetscape. Does that mean we're only going to spend only another \$3 million or is the total going to be \$4 million for the first phase or how does that work?

Mr. Stegman – I'll answer that question I addressed it with you today, Donnie, that the \$260,000.00 was the engineering and \$150,000.00 was for Duke, their engineering and the cost for the Duke moving so that wasn't part of the proposal of \$3.5 million.

Mr. Tobergte – So you have plans drawn up for a project and that’s not included in the project cost? That’s amazing.

## **NEW BUSINESS**

None.

## **AUDIENCE WISHING TO ADDRESS COUNCIL**

Dave Holt, Church St. – (Asked Council and Paul Myers why they didn’t pursue the request of P&G to purchase more of the Nu-Mail property.)

Mr. Stegman – I’d like to add a few things to that. On that property that’s there for the Service Garage, we’ve already invested \$200,000.00 in a salt bin for where the Service Garage is going to be. Also that parcel, a lot of people don’t know that there’s a lot of sewer easements and various easements on that property that we’re having to dodge around when we’re building this Service Garage, so it’s not like that whole big parcel is able to be built on. There’s an MSD sewer line that goes through there, Bloody Run runs through there also and like I said there’s a lot of things on that property that were going to be done through our engineering to not build on top of these sewers. I know that they showed some interest in it. I don’t know how much. Paul would be the one who would be talking about that but I just know that total lot is not buildable for everything that I think they wanted and with us being so land locked we needed to build the Service Garage somewhere and that was the most viable spot since we already had our salt bin back there also.

Mr. Myers – Regarding P&G wanting the property, at no time during the initial discussions with them indicated that they wanted more property than what they currently had. However I did hear these rumors that P&G is desirous of more property. I went over, probably a month ago, maybe a little more, specifically asked them, do you want some of this property? Before we break ground on the Service Center we need to know. Once we break ground all bets are off. No. Is there a problem because of the sewers? Sure. We’ve got some problems working out their own sewers. They worked their engineering and solved that problem. There is no desire to buy any of that property. They had the opportunity to do so as of today if they still wish to. There isn’t one. They have specifically said, “no thanks”. So that’s where we’re at.

Mr. Stegman – The salt bin wasn’t \$200,000.00 it was \$82,000.00 for the wall and another \$30,000.00 for the framing because it was on top so it was about \$125,000.00.

Dave Holt – That’s fine and I apologize if I misspoke on the P&G property but we go over there a lot and we were just there a week or two ago and the people that we deal with told us, hey, we still want this property so I guess there’s miscommunication on some parts especially if you can’t even talk English.

Mayor Burkhardt – Just before you close, when the Bond Hearing comes, I will be going with Paul to the Bond Hearing in Chicago. I just figured it best I hear it from the horses mouth on how that is all going to go.

Mrs. Brickweg – I have to ask, are you going to be able to sign off on it then or do I still have to sign off on it?

Mayor Burkhardt – I don't know, we'll find out, I'll let you know.

Mrs. Brickweg – That's fine, but if I have to sign off on this I would like to be represented so hopefully you can just sign off on it. That would be fine.

Mr. Asbach – The next COW meeting will be Thursday, January 31, at 7:30pm.

Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to adjourn. Motion passed 7-0.