

**ST. BERNARD VILLAGE COUNCIL MEETING
NOVEMBER 7, 2013**

The regular meeting of the St. Bernard Village Council was held Thursday, November 7, 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.

Mr. Asbach made a motion to dispense with the reading of the minutes. Mrs. Bedinghaus seconded the motion. Council agreed 7-0.

REPORTS OF VILLAGE OFFICIALS

MAYOR, Mr. Burkhardt – The Mayor’s Monthly Court Report Receipts for October, 2013: Mayor’s Court Costs/Fines/Fees/Miscellaneous receipts were \$1,897.89, Bond Forfeiture \$25.00; Outstanding Bond applied to tax, \$75.00; total to St. Bernard is \$1,997.89. Bond adjustment, \$75.00. Total to the County was \$18.00. Total to State was \$877.00. Total Disbursements were \$2,967.89.

Christmas in St. Bernard will be held on Saturday, December 1st from 6:00pm until 8:00 pm. Please join the St. Clement Student Choir at 5:45pm in front of City Hall and sing carols while waiting for Santa’s arrival and the lighting of the Christmas tree. The Queen City Hi-Railers train display returns in the lower level of the Municipal Building. Please visit the website for specific details.

Congressman Steve Chabot will be meeting one on one with St. Bernard residents on Tuesday, November 12th in the Council conference room beginning at 8:30am. If you have an issue you would like to discuss with him please contact his office at 684-2723 to schedule an appointment.

Finally, I would like to thank all the candidates, newly elected and exiting officials for their dedication and commitment to the residents of St. Bernard. I believe we are all here for the same reason.....to maintain the nostalgic feeling that families have known and loved for generations but at the same time moving St. Bernard forward to attract new business, new families and secure jobs and services. Understand, every decision that is made affects someone, and we must always remember that.

AUDITOR, Mrs. Brickweg – The Auditor’s office has prepared two Ordinances meeting. Ordinance 41, 2013 authorizes the Auditor to move the following appropriations:

FROM THE GENERAL FUND:

01-58-2C Umpires.....	\$1,600.00
01-58-5A Softball.....	439.00
01-58-5B Knothole.....	500.00
01-58-5E Adult League.....	582.00

TO GENERAL FUND:

01-58-2D Water Aerobics.....\$ 900.00
01-58-7C Incidentals..... 921.00
01-58-13 Fitness Center Equipment..... 1,300.00

The Ordinance also provides additional appropriations to the following line items:

01-67 Employee Accumulated Sick Time \$38,000.00
51-07 Employee Health Care Expenses 200,000.00

As of the end of October the Auditor's office received \$206,778.55 in health care revenues from our Stop Loss insurance. This is money the Village paid out of the Employee Health Care Expenses line item, but was reimbursed. The reimbursements go into a revenue account 51-5101 and cannot be used unless Council appropriates it back into the expense line item.

Ordinance 42, 2013 provides an additional appropriation of \$1,200,000.00 to 07-05 Service Garage Project. This is money the Village received in the bonds but needs to be appropriated to spend. It was not originally appropriated for this year but due to some soil complications at the Service Garage the invoices for this year are higher. This Ordinance also contains the wording to pay an invoice of \$884,058.36 with a "Then and Now" certification using the additional appropriated money.

Council and the Administration were given the October Expense, Revenue and Cash Account reports from our software system along with updated expense and revenue spreadsheets. Copies of these reports are also available at the front door of Council Chambers. At the end of October the Village had revenues of \$10,283,413.41. The expenses for the end of October were \$10,137,483.02.

Please remember that bond payments that are approximately \$175,000.00 are due in November on the swimming pool, fire truck and storm sewers bonds.

As a reminder to Council, the Health Care Committee will be meeting next Wed., Nov 13th at 4:00pm. U.S.I. will be presenting bids to represent the Village from Health Care Providers to the Committee.

DIRECTOR OF LAW, Mr. Walden – No report

TREASURER, Mr. Ungruhe – I received the statements from First Safety for the Fourth of July. The balance at the end of October was \$5,615.54.

SAFETY DIRECTOR, Ms. VanValkenburg – No report.

SERVICE DIRECTOR, Mr. Stegman – Chalet and Heger update; the final course of blacktop will be put down Nov. 18 and 19th, that would be Mon. and Tues. A final letter will be going out next week with all the details on it.

Totals on the "Shred It Day" from Oct. 19th are; we collected 2,864 pounds of paper. Down from last year. Total of 7500 pounds. The reason was the weather that day. I would like to thank Ray Culbertson, Dianne Statt, Gerry Wiedmann and Don Tobergte for their help that day.

We got conformation from the County on receiving the \$7,592.00 we will have it tomorrow.

We are selling the rest of the green recycling cans for \$51.00. Anyone who would like a second one for yard waste, come to City Hall. There are 100 left.

Veteran's Day is Monday, Nov. 11th. All trash pick-up moves up by one day and City Hall is closed also.

TAX COMMISSIONER, Mr. Geiser – I passed out, before the meeting, to members of Council our monthly report showing the end comparisons of the

income for the month of October. You'll note on the report that we received \$712,865.00 for the month of October. You can compare that to the previous years. I think each member of Council has received an email concerning the House Bill 5 updates and the status of that. Basically there has been a substitute bill put through by Ohio Municipal League along with most of the cities and it seems like that is going to pass. That will obviously have many implications on the City of St. Bernard. Not as bad as the original bill but obviously it will change our laws.

Based on that I would like to, as I get more information, next meeting, I would like to be put on the agenda to update what we're going to have. Also based on the changes on House Bill 5, I met with Ray Culbertson, there are two issues and two amendments on our Tax Code I'd like to have passed before the end of the year. So I have a request for the beginning of next year and it will apply to all the fillings after January 1st. I'd like to schedule a meeting with Ray, with his Committee and also bring back before Council. Also an issue that was brought up, Mr. Culbertson asked me to bring up and review, was the issue of gambling winnings and as soon as they want to review this issue again, and Ms. Helms in our office has done extensive research on this issue, and so we would like to meet with you on this and bring back our findings.

Mr. Walden is not here right now, but I believe he sent an email out to you so I will go ahead and put it in my report here. This past week, myself, Ms. Helms and Mr. Walden met with the Attorney Howard Richshafer that Curtis brought forward to deal with the pending litigation in the Tax Office. Based on the time restraints, Mr. Walden wanted to bring him here tonight. I believe you got the email. He will be here tonight at 8:30pm. I'd like to ask Council to go into Executive Session at the end of this meeting to discuss pending litigation.

Also, in the audience Ms. Helms will be present at that meeting also because she has a lot of input and has learned a lot. The attorney, I can basically, Curtis, said this is probably the best Tax Attorney in town and he was pretty impressed. So, I would like to introduce him to you but because of time restraints we can't waste any time. If you have any questions, let me know, but if we can go into Executive Session, I really appreciate it.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Meier – No report.

SAFETY, Mr. Asbach – The November Block Watch Mtg. will be Tuesday, November 19th at the rear of the Fire House at 6:30pm for fire extinguisher training.

SERVICE, Mr. Holt – No report.

PUBLIC IMPROVEMENTS, Mrs. Schildmeyer – Paul Myers would like to be added to the agenda for next week's COW to discuss transferring the shopping center to the CIC and I would like to request that Building Development & Planning report be typed into the minutes.

BUILDING PERMIT ISSUANCE, PLAN REVIEW AND INSPECTIONS

The Building Department is currently conducting on-going inspection on \$10 million of commercial projects carried over from 2012. We are also inspecting new permits issued since January 1st for over \$22.7 million. With income to the Village of \$62,540.79.

The breakdown of permits is as follows:

As of October 31st, 2013 we have issued 199 permits. OBC and one, two and three family construction”

A: OBC regulated construction: year to date 127 permits were issued.

B: RBC regulated construction: year to date 72 permits were issued.

Inspections and Plan review;

A: Approximately 346 inspections were made on commercial and residential projects.

B: 133 plan examinations and reviews.

HIP

- May 1st through July 25th: 75 initial home inspections on Sullivan Avenue. Sullivan Avenue is completed.
- July 25th through October 31st: 51 home inspections on Church Street. Church Street inspections have been completed.
- 2 follow up inspection and 2 Building Posted on Sullivan.
- 58 follow up inspections on Vine Street.
- 11 -7 day letters sent based on the Vine Street follow up inspections.
- 3 warrants issued with one cited to court in August.
- 1 of the 3 was reissued as a new order, 1 still pending in court and received lintent to complete letter.
- 28 thank you letters on Sullivan.
- 35 sets of orders issued on Sullivan with 4 sets pending.
- 35 follow up inspections on Sullivan.

PMC

This is the code we use for “Property Maintenance Referrals”

We have issued 26 PMC orders.

Rental Program through October 31st, 2013:

Number of inspections 287

Number of letters mailed 424

LAWS, CONTRACTS AND CLAIMS, Mr. Culbertson – The Laws Contracts and Claims Committee will be meeting on Thursday, November 14th at 6:30pm in Council Chambers. We will meet with the Law Director and the Tax Commissioner to discuss possible changes to the Tax Code.

BUSINESS AND INDUSTRY, Mrs. Bedinghaus – No report.

HIGHWAYS AND TRANSPORTATION, Mr. Tobergte – The Crossing Guards asked me to remind everyone to please clean your car windows of frost and dew. They have been seeing a lot of cars with little visibility.

If your house was missed by the Fire Departments inspections you can schedule an appointment for an inspection by calling 242-9555. They also have a supply of batteries and smoke detectors available. They will give you a battery or they will deliver them. The smoke detectors are available but they have to install them. Call 242-9555 for these services.

I also would like to thank all the people who took the time and effort to run for office and the people who voted.

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

Committee of the Whole
Oct 24, 2013

1. Council approved the minutes of the Oct 17th Council meeting.
2. Council discussed the request of the Mayor to appropriate the funds to take apart the train depot for future use. Council asked to have this on the agenda, with pictures, at the next COW meeting.
3. Recreation Director, Paul Strotman, asked Council to transfer money from certain line items to others in his budget. Council voted 5-0 to put the Transfer Ordinance on the table.
4. Council voted, 5-0, to put Resolution No.12 and No.13 on the table for the next Council meeting. Fire Chief Moeller stated that the County needs a copy of the signed Resolution No.13, for the County to be eligible for FEMA funds. Resolution No. 12 is for mutual aid for emergency agencies.
5. Mayor, Bill Burkhardt
 - A. Reported that he attended the ground breaking ceremony at Roger Bacon for the new Friar's Club building.
 - B. Said that Halloween is next Thursday and the costume contest and candy bag giveaway will begin at 6 PM at the Pavilion. Houses can be visited from 6-8 PM. The Fire Department will have their haunted house also.
 - C. Asked that the police contract be placed on the table at the next Council meeting. Council voted to put the Ordinance on the table.
6. Auditor, Peggy Brickweg
 - A. Asked that Council add two items to the Transfer Ordinance that was put on the table. First is \$38,000.00 to line item 01-67 and \$200,000 to line item 51-07. Council voted 5-0 to add these items to the Ordinance.
7. Service Director, Phil Stegman
 - A. Reported that the recycling cans have gone back up to \$51.00 per can. He submitted to the County for a refund of \$7,592.00, which is the difference of a regular can and the ones we sold for the special \$26.00 price. People have asked if these cans could be used for regular trash and it is being looked into.
8. Treasurer, John Ungruhe
 - A. Asked if we have heard of any fines that might have to be paid on the Bank St. lawsuit. There are CD's that are coming up soon and he didn't want to reinvest them if we needed the money. No fine is pending at this time.
9. Finance, Kevin Meier
 - A. Announced a Finance Committee meeting on Tuesday Oct. 29th at 7:30 PM to discuss the 2014 budget with the smaller departments.
10. Public Improvements, Diana Schildmeyer
 - A. Welcomed the Friars Club to St. Bernard.
11. Highways & Transportation, Don Tobergte
 - A. Asked about moving the money from the Civil Service clerk line item to a promotional or advertising line item for billboards or banners to advertise the Village. More discussion will take place on the idea.
12. A resident said to tear down the train depot. He also said the kids should pay for the sports uniforms. He also asked about the health care for the Village and after a very long discussion, it was announced that the next Health Care Committee meeting is Nov. 13th at 4 PM.
13. During the discussion a Council member said that she was asked not to attend the last Health Care Committee meeting and a resident said that she couldn't believe that she said that. She felt that Council should know what was going on and should be at the

meeting. The Councilperson said that it would have been a distraction for her to be there and didn't attend.

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

COMMUNICATIONS

None.

RESOLUTIONS AND ORDINANCES

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to read this evening's Resolutions and Ordinances by title only. Motion passed 7-0.

RESOLUTION NO. 12, 2013. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OTHER POLITICAL SUBDIVISIONS OF HAMILTON COUNTY, OHIO FOR THE PURPOSE OF OBTAINING ADDITIONAL POLICE PROTECTION AND SERVICE DURING PERIODS OF EMERGENCY AND PERIODS OF NEED FOR ADDITIONAL POLICE PROTECTION AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Holt to suspend with the second and third reading of Resolution No. 12, 2013. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to adopt Resolution No. 12, 2013 as read. Motion passed 7-0.

RESOLUTION NO. 13, 2013. RESOLUTION ADOPTING THE HAMILTON COUNTY NATURAL HAZARD MITIGATION PLAN.

Motion by Mr. Asbach, seconded by Mr. Culbertson to suspend with the second and third reading of Resolution No. 13, 2013. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to adopt Resolution No. 12, 2013 as read. Motion passed 7-0.

ORDINANCE NO. 41, 2013. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND MOVE FUNDS AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Culbertson to suspend with the second and third reading of Ordinance No. 41, 2013.

REMARKS

Mr. Tobergte – I would like to ask a question. After Mr. Strotman's discussion two weeks ago about no softball, no knothole, people were asking me why do we have so many athletic director's if we're cutting out and programs aren't being utilized because there are no kids?

Mayor Burkhardt – They still have plenty to do. They took over Holiday Activities and they are very busy with all of that. They have other things they do besides just the softball. Believe me, they are still short handed.

The motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Holt to adopt Ordinance No. 41, 2013 as read. Motion passed 7-0.

ORDINANCE NO. 42, 2013. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND PROVIDING FOR THE PAYMENT OF ONE (1) INVOICE COVERED BY “THEN AND NOW” CERTIFICATION OF PURCHASE ORDER EXCEEDING \$3,000 AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to suspend with the second and third reading of Ordinance No. 42, 2013.

REMARKS

Mrs. Bedinghaus – Is this because things are moving quicker than that or are there additional things that are happening?

Mr. Stegman – I can answer that for you. Yes, we had some contaminated soil down there and it did run the cost up a little quicker and faster to get it up out of the ground. It is moving faster. It’s a little deceiving. There is still like \$700,000.00 in there to pay but we’re only about \$100,000.00 short of paying this invoice but we got about \$600,000.00 more for the next two months and that’s the reason we’re asking for so much to finish out the year so we can start out with a new balance for the balance of it. So yes, it is moving quicker.

Mr. Meier – On the second page of this, for the people who don’t have access to it, the exchange orders in this are \$440,000.00. That is the amount that was not originally, it’s for the work that Phil was talking about, the removal of the contaminated soil. There was an overage built into the budget for unplanned things that come up in the course of construction, but at this point with these monies, we would be approximately 50% complete on a dollar basis from where we originally started.

The motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Culbertson to adopt Ordinance No. 42, 2013 as read. Motion passed 7-0.

ORDINANCE NO. 43, 2013. ACCEPTING AND APPROVING THE COLLECTIVE BARGAINING AGREEMENT MADE BY AND BETWEEN THE VILLAGE OF ST. BERNARD AND FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Culbertson to allow Ordinance No. 43, 2013 to take its regular course.

REMARKS

Mr. Asbach – The reason for the regular course is simply that in “Old Business” I’m going to be making a motion to go into Executive Session for the Tax Dept. and I know Mr. Tobergte had some questions on the contract so that’s the reason it’s going regular course instead of passing it tonight.

The motion to have Ordinance No. 43, 2013 take its regular course passed 7-0.

OLD BUSINESS

Motion by Mr. Asbach, seconded by Mr. Holt to go into Executive Session after this meeting to discuss pending litigation and contract questions. Motion passed 7-0.

Mr. Tobergte – I would like to ask Kevin, I know the last Finance Committee was cancelled, when is the next one so we can start working on the new budget.

Mr. Meier – We have not scheduled a Finance Committee Meeting yet.

NEW BUSINESS

Mayor Burkhardt – I would just like to inform Council and the citizens that we have received officially the retirement letter from Mrs. Stevie Tempel, our custodian effective November 30th, 2013. I would just like to take this opportunity to thank her for all her years of service to the citizens. She has been a great custodian up here at City Hall and she will be sorely missed. If you see her, thank her.

Mr. Tobergte – I received an email from Congressman Chabot’s office. They asked me to pass along a thank you to Elaine Sipe. She was very helpful in setting up the arrangements for the Congressman’s office hours on Tuesday November 12th.

Mrs. Bedinghaus – Bill what you said, that Steve Chabot was going to be here on the 17th at 8:30 in the morning. Is that, did I get that right?

Mayor Burkhardt – Next Tuesday, the 12th.

Mrs. Bedinghaus – At 8:30am. Do you have an end time for that?

Mayor Burkhardt – I guess it depends on how long people are here.

Mrs. Bedinghaus – OK, so he doesn’t have any time set?

Mayor Burkhardt – I don’t have any ending time.

Mr. Tobergte – They told me it’s usually around 10:00am or so. About an hour or an hour and a half they schedule him and block that time out.

Mrs. Bedinghaus – OK. Thank you.

Mr. Asbach – I should have done this under “Old Business”. We did put off the discussion of the railroad depot to the next COW so at the next COW, I believe everyone was forwarded those pictures, so that will be on the agenda next week.

Mr. Walden – I just wanted to apologize for getting here late. The meeting, I was at St. Bernard’s autumn sports banquet tonight where one of my daughters received the award for the best all around volleyball player, so I didn’t want to miss that and I suspect the Safety Director has a very similar excuse.

Ms. VanValkenburg – For some reason they did the football team before they did the volleyball team so it took quite a while.

Mrs. Brickweg – I understand there is not a Finance Committee meeting but I’d like to stress that Finance Committee can’t wait until the very last minute like we did last year. If you need any help, I’ll be glad to do that.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

Mr. Asbach – The next COW meeting will be Thursday, November 14th at 7:30pm.

Council went into Executive Session.

When Council returned from Executive Session:

Motion by Mr. Tobergte, seconded by Mrs. Schildmeyer to engage the legal services of Howard Richshafer and Wood and Lamping as the Village’s attorneys for the tax matter discussed in Executive Session this evening. Motion passed 7-0.

Motion by Mr. Culbertson, seconded by Mrs. Schildmeyer to adjourn. Motion passed 7-0.