

**ST. BERNARD VILLAGE COUNCIL MEETING
AUGUST 21, 2014**

The regular meeting of the St. Bernard City Council was held Thursday, August 21, 2014 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, Ms. Hausfeld, Mr. Kalb, Mr. Asbach, Mrs. Schildmeyer, Mr. Culbertson and Mrs. Bedinghaus.

Mayor Burkhardt honored the St. Bernard Stingray Swim Team. They won their championship again this year and they are becoming a dynasty. Mayor Burkhardt read the Proclamation and presented it to Coaches Iris Miller and Lauren Cain. He declared August 21, 2014 as St. Bernard Stingray Swim Team Day in the Village of St. Bernard.

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

REPORTS OF CITY OFFICIALS

MAYOR, Mr. Burkhardt – Congratulations to newly appointed Captain Greg Lipp and Lt. John Schutte. I know it will take some time for each of them to get settled in their new positions but I am confident that they will adjust and be very successful.

I just wanted to remind everyone of the official grand opening of the new St. Bernard Service Center Saturday, August 30th from noon until 2:00pm. Please join us on this very special occasion: tour the facility, meet with the staff and enjoy refreshments prepared by the St. Bernard Recreation Department.

I would like to thank the residents for being so patient with the ongoing construction all over St. Bernard. We are very excited about the future but we are very aware there will be growing pains along the way. Again, thank you.

AUDITOR, Mrs. Brickweg – The Auditor’s office has prepared Resolution 5 and Ordinance 36, 2014 for tonight’s meeting.

Resolution 5 is a “Then and Now” Resolution which gives the Auditor office permission to pay three invoices totaling \$15,628.50 to Wood and Lamping. As discussed at last week’s COW these invoices are for legal work regarding a tax case.

Ordinance 36, 2014 authorizes the Auditor office to provide additional appropriations to

01-2-E-3	Tax Refunds	\$20,000.00
01-2-I-9	Professional Services	\$25,000.00
01-7-A	Fire Chief	\$20,000.00

The \$20,000 for tax refunds will hopefully get the tax department through the final tax filing period. The \$25,000.00 in the Law Director’s Professional Services will provide the funding for the Wood and Lamping invoices and allow the Law Director to have a blanket purchase order for Wood and Lamping, which will hopefully help avoid any future “Then and Now” resolutions. The \$20,000 additional appropriation to the Fire Chief line item is to cover the expenses occurred when the past Fire Chief retired.

Ordinance 36 also authorizes moving \$5,000.0 from 04-SP-4 Swimming Pool Supplies to 04-SP-9 Swimming Pool Equipment Maintenance. \$4,400.00 is for a main reducing pressure valve from the street and \$800.00 is for a new automatic fill valve, which replaces water back into the swimming pool. By moving \$5,000.00 it will provide enough money for these items.

DIRECTOR OF LAW, Mr. Walden – There was some confusion on the grilling Ordinance that was discussed at the COW. I will have that prepared for review at the next COW meeting so it can be passed in two weeks.

TREASURER, Mr. Ungruhe –The receipts for the month of June totaled \$1,873,514.78. The receipts for July totaled \$1,101,764.11. The receipts for the year through July 2014 totaled \$8,229,695.60. Copies of my report have been distributed to members of Council, the Clerk and to the Administration.

SAFETY DIRECTOR, Ms. Van Valkenburg – The Fire Department runs for July 2014: The Fire Department responded to 25 fire runs and there were 78 ambulance runs. I do apologize that I don't have a breakdown of the mutual aid runs I'll get that ready for you in my next report..

The Fire House in house hydrant repair program is up and running and they are making progress in getting those taken care of.

As reported, Greg Lipp was promoted to Captain and John Schutte was promoted to Lieutenant.

The Fire Dept. is beginning preparations for the move to the new Safety Center which is underway and should be completed by October, we hope.

I am working with the Building Dept. on getting an Ordinance for your review for the changes in some of the language dealing with the ability of the Village to condemn blighted properties. It just needs to be reworded a little bit. I'll have that for your review at the next COW.

Additionally, Mr. Tobergte has been asking about an update on the owner occupied homes versus rental property homes, correct? And we're going through that, it's taking a little longer. It's really one of those, if you want an accurate number, we're needing to do a street by street kind of review, comparing records with property ownership records versus things like water department records, working through single family and two family homes. At this point it looks like we have 250 units that have been registered with the Village as being rental properties that have paid applications. We've also mailed out 125 applications or letters to units that look like they are part of the Step Program as well and those have not yet been returned so those are in progress. So that is underway and we continue to work on that and we should have that updated and hopefully final within about two weeks.

SERVICE DIRECTOR, Mr. Stegman – No report.

TAX COMMISSIONER, Mr. Geiser – I just want to thank Mrs. Brickweg asking Council for the additional appropriations for the Tax Department tax refunds. I was not able to be here last week because it was my wife and I anniversary and we had a family celebration. I ask you to support and pass that because we already need that \$20,000.00 and hopefully that will get us through the end of the year. We tend to get a lot of business refunds in the October filing when most of the business tax returns will come in.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Tobergte – I have received an email with the Ohio Municipal League Village and City wage surveys. I printed the Village section and its 77 pages. If anyone wants a copy let me know and I can send it by email or get you a printed version. I talked to Bill and I'm going to send him an email and that way it gets out too.

SAFETY, Mr. Culbertson – I would like to thank Officer Derrick Setters for having the Hamilton County SWAT team, Bomb Squad and K9 unit at this month's Block Watch meeting. Our next meeting will be Tuesday, Sept. 16th at 5:30pm in Ross Park area #3 for our annual cookout. Please call Don Tobergte at 242-9499 and leave a message so he knows how much food to prepare.

SERVICE, Mr. Asbach – I have the Service Department report for July, 2014. There were 43 Trucks placed at residences, 39 Dumpsters placed at residences, 167 Special pick-ups at residences. There was 224.81 tons of garbage taken to the landfill.

For recycling: there was 35.04 tons of recycling material, 350 Pounds of scrap aluminum, and 7,220 Pounds of scrap metal.

PUBLIC IMPROVEMENTS, Mrs. Schildmeyer – No report.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – No report.

BUSINESS AND INDUSTRY, Mr. Kalb – No report.

HIGHWAYS AND TRANSPORTATION, Ms. Hausfeld – No report.

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

Committee of the Whole
Aug. 14, 2014

1. Council approved the minutes of the Aug. 7th Council meeting.
2. Auditor, Peggy Brickweg
 - A. Asked Council for a "Then & Now" Resolution for a tax case bill that came in for payment. Council voted 6-0 to place the Resolution on the table.
 - B. Asked for a \$20,000 additional appropriation for the refunds line item as well as \$20,000 for the Fire Chief line item because of the payout of deferred time off for Chief Moeller when he retired. There was also a request to move \$5,000 from 4-SP-4 to 4-SP-9 for items at the pool. Council voted 6-0 to place the Ordinance on the table.
3. Law Director, Curtis Walden
 - A. Told Council the reason for the additional money, for the refunds line item, are due to changes in the Federal regulations that allow people to file differently.
 - B. Gave Council the proposed changes to the Ordinance for grilling in the parks to review. There is already an Ordinance on the books for the closing times for the parks. Questions on those times came up and will be discussed at the next COW meeting.
4. Service Director, Phil Stegman
 - A. Asked Council to consider the Ross Ave road project, at a cost \$434,000, which could be paid off, over 30 years at no interest, at \$14,466 per year. Duke Energy will also pay \$25,000 for street repair due to their work on Ross Ave. The engineering would cost \$44,000.

- B. Asked for an Ordinance to go out for SCIP funds for Jackson Ave street repairs. Council voted 6-0 to place the Ordinance on the table.
 - C. Discussed block grant money for certain projects. There has to be two public hearings before November and they will be announced well in advance.
 - D. Discussed bids for salt for the winter. Last year a ton cost \$47 per ton and this year the bid was \$107. Since we have a full bin, we are not eligible right now.
 - E. Discussed the pickup truck that was stolen over the weekend and he is waiting for the insurance company to look at it before he does any repairs.
 - F. Announced that the ribbon cutting and open house for the new Service Center will be Saturday Aug. 30th from noon until 2 PM.
5. Treasurer, John Ungrhue
 - A. Announced that the 4th of July fund has \$5,619.75.
 6. Finance, Don Tobergte
 - A. Discussed having candidates running for office at the meetings. Curtis will look into the matter further, but there have been other candidates and ballot issues at meetings in the past. It was stated that other candidates running for the same office must be notified and given the chance to address Council also.
 - B. Said that the next Block Watch meeting will be Tuesday Aug. 19th at 6:30pm downstairs. SWAT will be there with their bomb and K-9 units.
 7. Safety, Ray Culbertson(read by Diana Schildmeyer)
 - A. Gave the July police report. During the month of July, officers were involved in 746 calls for service. Of those calls, officers responded to 28 accident reports and took 32 offense reports. Officers cleared a total of 10 offenses. Officers made 50 misdemeanor arrests and 4 felony arrests. Officers responded to 42 parking complaints and issued 3 citations for parking violations. Officers issued 32 traffic citations, 1 DUI arrest and 58 warnings. Officers responded to 80 calls for suspicious activity, vehicles or persons.
 8. Public Improvements, Diana Schildmeyer
 - A. Reminded everyone that school starts next week, so please drive safely.
 9. Laws, Contracts & Claims, Cindi Bedinghaus
 - A. Discussed the Ordinances for grilling in the parks and closure times. Council voted 6-0, to put the proposed changes to the grilling Ordinance on the table. The closure times are in section 541.14 of our Codified Ordinances. As was stated earlier, there will be a discussion of changes to those times at the next COW.
 10. Highways & Transportation, Patty Hausfeld
 - A. Said that she had received complaints about the garbage behind the shopping center and asked Phil to look into it. The matter was taken care of by Phil.
 - B. Also received complaints about the metal plates in the street. Her suggestion was to close off the street except to residents of that block. She thanked Phil for calling the company and fixing some of the plates.
 11. Fire Chief, Kerry Meyer, told Council that the Fire Department received the grant, for the SCBA equipment that former chief Don Moeller had applied for. It looks like we will only have to pay \$7,700.

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

COMMUNICATIONS

None.

RESOLUTIONS AND ORDINANCES

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

RESOLUTION NO. 04, 2014. A RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR FISCAL YEAR 2015 STATE CAPITAL IMPROVEMENT PROGRAM FUNDS AND IF FUNDS ARE AWARDED TO EXECUTE GRANT AGREEMENTS ON BEHALF OF THE VILLAGE AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Ms. Hausfeld to suspend with the second and third reading of Resolution No. 4, 2014. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to adopt Resolution No. 4, 2014 as read. Motion passed 7-0.

RESOLUTION NO. 5, 2014. A RESOLUTION PROVIDING FOR THE PAYMENT OF THREE INVOICES COVERED BY "THEN AND NOW" CERTIFICATION OF PURCHASE ORDERS EXCEEDING \$3,000.00 AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Culbertson to suspend with the second and third reading of Resolution No. 5, 2014. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Kalb to adopt Resolution No. 5, 2014 as read. Motion passed 7-0.

ORDINANCE NO. 36, 2014. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND MOVE FUNDS AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 36, 2014.

REMARKS

Mr. Tobergte – Peggy, the Fire Chief \$20,000.00, that's his Deferred Time Off from the previous Chief, correct?

Mrs. Brickweg – It's Deferred Time Off and vacation pay out.

Mr. Tobergte – My other question is, I'm fine with that, but, could we do another line item for the Fire Dept. for deferred time off so we keep it kind of straight because each Dept. has a special line item for comp-time?

Mrs. Brickweg – They don't use that. I will try to explain that. I don't know why it's ever been broken out because Police Officers when they earned overtime and they cashed it out comp time is the same thing and its the same with the Fire instead of time and a half. So we combined the comp time and the overtime into one line item because the Fire has always been like that. You might see some on there that is like that on the payroll but at the beginning of the year we decided to

combine them because they are basically the same thing. The only difference between the Fire and the Police is when they earn overtime. They don't see it right away, they put it in as comp time and they cash it out later. Like this payroll, I had one work 40 hours and then 39. So its basically the same thing. DTO, like I tried to explain a couple of weeks ago, they cannot check that out until they are ready to retire. So unless I know someone is retiring I don't know how to

Mr. Tobergte – I understand what you're saying. I know it would be hard to budget, but I'm just saying it now looks like the Police Chief make \$100,000.00 instead.....

Mrs. Brickweg – It was in the past.....

Mr. Tobergte – I'm saying in the budget there's going to be \$20,000.00 extra in that line item. Maybe we should have a separate line item to pay this out of, the overtime or whatever, I'm saying for the future.

Mrs. Brickweg – OK make sure it comes out. Well, overtime would be better because what the problem was they wouldn't have any money in the line item

The motion to suspend passed 7-0..

Motion by Mr. Asbach, seconded by Ms. Hausfeld to adopt Ordinance No. 36, 2014 as read. Motion passed 7-0.

OLD BUSINESS

Mr. Tobergte – I have the overtime report from the Fire Dept. There was another 120 hours overtime due to being short handed. I talked to Bill on Monday. First I thought it was just the Captains are also being trained to be Fire Inspectors. I talked to Bill about possibly just hiring one fireman and having the Captains do the inspections. I talked to the Fire Chief and the Lieutenants are also certified inspectors. So we could have six guys divide up the Village and do the inspections instead of hiring a new inspector. So hopefully keep the Fire Dept. the way it is and possibly save some money there.

Mr. Asbach – As was discussed at the last COW or Council, I can't remember, but apparently Cecil Thomas will be at the next COW to address Council and he and Charlie Winburn are running for the Ohio Senate, 9th District. I did contact Charlie Winburn and made him aware so we would have both representations. I would like to ask Curtis if he could possibly look into this. I realize it won't be at the next COW to see if there's a possibility of changing our Council rules to not allow candidates, and I don't know if we can legally or not, but if he could check and see if we can change our Council rules and have candidates not address at the meeting.

Mrs. Brickweg – I wanted to give an update on what I learned in regards to what other municipalities in Ohio open and close their parks daily. It was pretty much split 50/50 with parks closing at either a determined time and others closing and opening using the words "dawn and dusk." Some Ordinances listed each park separately with the hours that each park was open. After last week's meeting I had residents ask me why no one answered my question. "Why does the Village want to keep parks open without lights, open in the dark?" I told them I would ask the

question again tonight. Hopefully someone can answer it because like I said last week, it doesn't make sense to me and apparently the people that called me agreed, and we just wanted to know the reasoning behind that.

Mr. Asbach – I thought it was mentioned last week that I would put it on this upcoming COW meeting to discuss. I think it currently reads 10:00pm. I think I stated at the COW and stand behind now that most of these, what we'll call tot lots, are in residential neighborhoods, and I don't believe, I think they should close at 9:00pm. So I will have that on the COW agenda next week.

Mrs. Schildmeyer – I agree Steve. I don't know why, and especially with the time change, I don't know why you'd be out in the parks anyway when it's dark, so I agree too, Steve.

Mr. Tobergte – Bill, was there a CIC meeting last night? It was never announced and it didn't show up on the web site until yesterday afternoon.

Mayor Burkhardt – You should have gotten an email sometime Monday. It was Monday. I'll check and see how it was posted and why.

Mr. Tobergte – On the website it was updated on the 20th. That was the same day as the meeting.

Mayor Burkhardt – OK, I'll make sure we get a better posting on those.

Mrs. Brickweg – I may be able to help you with that. I actually had it written in my calendar when it was going to be so then I asked Phil, who asked Bill and when I brought it up I realized it was posted as a meeting so that's why the email went out asking everybody if they could make it.

Mrs. Schildmeyer – I believe the next CIC meeting is November 19th.

Mayor Burkhardt – I'll make sure it gets on the website.

NEW BUSINESS

None.

AUDIENCE WISHING TO ADDRESS COUNCIL

Terry Mays, 4234 Greenlee – I would ask, could the lights on Greenlee and Ross be turned back on because it is very difficult to get out of there the way all the streets are blocked up when you're coming out of Delmar you're having to fight traffic to try to get out and you cannot get out. I think that's a very big hazard. You should turn the light back on if you can please.

Mrs. Brickweg – When I went home today it was back on. At Ross and Greenlee? It wasn't working this morning but when I got off it was on.

Mr. Stegman – They were able to get the loop fixed in the street yesterday and the gentleman came out this morning and activated all the controls so it is back on.

Mr. Tobergte – A final reminder, tomorrow night is the Police and Fire Steak Fry.

Mr. Asbach – The next COW meeting will be Thursday, August 28, at 7:00pm.

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