

**ST. BERNARD VILLAGE COUNCIL MEETING  
OCTOBER 16, 2014**

The regular meeting of the St. Bernard Village Council was held Thursday, October 16, 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 five members were present: Mr. Tobergte, Mr. Kalb, Mr. Asbach, Mrs. Schildmeyer, and Mr. Culbertson. Ms. Hausfeld and Mrs. Bedinghaus were absent.

Mr. Asbach made a motion to dispense with the reading of the minutes. Mrs. Schildmeyer seconded the motion. Council agreed 5-0.

**REPORTS OF CITY OFFICIALS**

MAYOR, Mr. Burkhardt – The Mayor’s Monthly Court Report Receipts for September, 2014: Mayor’s Court Costs/Fines/Fees/Miscellaneous receipts were \$3,340.70, Bonds forfeited \$175.00, Bond applied to tax \$817.00 and total to St. Bernard was \$4,332.70. Total to the County was \$29.00. Total to State was \$1,279.00. Total Disbursements were \$5,640.70.

I would like to ask Council to consider moving the October 30<sup>th</sup> COW meeting to next Thursday, October 23<sup>rd</sup> and possibly adding a “Special Council Meeting” at some point. We do not have enough members present this evening to vote on needed Ordinances and I am going to need to discuss the “Pay Ordinance” for the new Police Clerk/Dispatcher. Steve would you please add this to the COW agenda but if we’re going to do this, I’m going to ask to put that on the table tonight so that we can have it ready.

I am not sure if Laura will be here tonight but I did want to remind everyone that the Flu Clinic is next Wednesday, October 22<sup>nd</sup> in the Recreation Office from 3:00pm until 7:00pm. It is open to all residents. Also, I wanted to thank Laura for providing information to Elaine about the Ebola epidemic for the website. This is a very serious issue and we want to provide as much information to our residents as possible.

Also, the Annual St. Bernard Halloween costume contest will be held at Vine Street Park on Friday, October 31<sup>st</sup> beginning promptly at 6:00pm. Treat bags and glow necklaces are provided to all children that participate, compliments of the St. Bernard Recreation and Police Departments. St. Bernard Trick-or-Treat hours will run from 6:00pm until 8:00pm.

Also, while we’re talking about the Police Clerk Ordinance, we have a five step process and this will end up being her pay. Presently she is connected to the Tax Dept. Clerk. What I would like to do is have a separate Ordinance for the Police Clerk to get her away from everybody else and she’ll be on her own at that point. When I get this Ordinance made up, I know there are some things that we need to get in there like, she won’t be allowed to cash out sick time at the end and all this other stuff that we’ve been doing with the contracts, so I want to make sure that that’s all in there. As soon as I get that done I’ll get that to all the Council people

and if you could at least do it tonight to put that on the table for the “Special Meeting” next week then we can get it passed so that Peggy can get her on the payroll.

AUDITOR, Mrs. Brickweg – The Auditor’s office has prepared Ordinance No. 43, 2014 which will be read at the “Special Council Meeting” next Thursday. Council and the Administration were given the September expense and revenue spreadsheets for them to review. Comparing year to date the expenses are up \$52,706.97 and the revenues are up \$67,412.16. The total spent Year-to-Date, as of today for Streetscape is \$358,348.46, for the Service Garage is \$1,067,062.74 and for the Safety Center is \$5,468,313.26. I am also happy to report that the Village received \$72,531.57 from Ohio Bureau of Worker’s Compensation this week. This rebate reflects 60% of the premium for policy year 2012.

DIRECTOR OF LAW, Mr. Walden – I wanted to inform Council that Kim Burke will be at the COW meeting on October 23<sup>rd</sup> to address Council regarding the consent decree with the Attorney General. That meeting will involve pending litigation and will need to take place in Executive Session. That concludes my report but I do have the report of the Safety Director also.

TREASURER, Mr. Ungruhe – This evening I have prepared the monthly Treasurer’s report and this is for the month of August:

Receipts for the month of August:	\$ 646,062.22
Receipts for the year through August, 2014:	\$ 8,875,757.82

I don’t know if the Mayor and Curtis had the chance to view my email. The Auditor feels that we can reinvest that \$240,000.00 that matured in September so if you guys are available maybe before the meeting next week we can have a quick meeting of the investment committee. Will that work for you Mayor? OK. Then we can get someone to get that on the website so that we have that out to the public, that would be wonderful.

SAFETY DIRECTOR,, Ms. VanValkenburg – (read by Mr. Walden) The Captain’s examination for the Fire Department previously scheduled for this Saturday, October 18, 2014, has been cancelled due to a procedural issue. The test will be rescheduled, with proper notice given to the interested parties. At this time I anticipate the test will be given sometime in November. I will report the new date when I have confirmed it with the Civil Service Commission.

October is Fire Safety Month. Residents should use batteries recommended by the manufacturer and make sure they are firmly connected to the smoke – and carbon monoxide – alarm contacts. Remember if a smoke alarm starts making “chirping” noise, it’s a signal battery levels are low and need to be replaced. Dusting smoke detector surfaces and vacuuming the air vents regularly will keep dust and spider webs from fouling detection elements or causing false alarms. All smoke alarms, including those with 10 year lithium batteries, should be tested monthly. Smoke alarms that use ordinary batteries should have new batteries installed at least once a year.

The St. Bernard Fire Department installs smoke detectors free of charge to residents. If you would like a home inspection or free smoke detector, please call 242-2727 and ask for the Fire Department to arrange a time.

SERVICE DIRECTOR, Mr. Stegman – The leaf truck will start next Monday, October 20<sup>th</sup>. We’re asking people if they don’t want the pile of leaves in front of their house, the smaller piles, that they can go ahead and bag those or can those

now that we can pick up that in the regular garbage truck. So some of the people that don't have a big yard with a lot of leaves, if they don't want to leave that little pile of leaves in front of their house they can go ahead and bag or can those. The Streetscape, the crew that was starting our Streetscape this week has been delayed a couple weeks, the job that they are on now, due to the rain, but next week we are going to saw cutting the sidewalks from Dairy Queen going north on the west side of Vine.

Saturday is "Shred It Day" at St. Bernard Square from 10:00am until 1:00pm thanks to First Safety Bank hosting and New Shoots Landscaping.

I came across something a couple of months ago and pursued it and one of our Duke bill accounts. I had found that we weren't being charged the right rate when we moved over from Duke over to Duke retail two years ago. The check finally came in today with that amount of \$5,277.93. We just received that today.

TAX COMMISSIONER, Mrs. Geiser – No report.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Tobergte – Peggy put in our mail boxes an updated proposed budget. The budget is now a little over \$2 million over projected income. I talked with Mayor Burkhardt and he suggested lowering the health care line item to \$1 million and he will talk to the Department Heads.

There has been talk once again about setting up special funds for Capital projects funds which would include fixed assets along with a fund for payment of accumulated sick leave, vacation upon retirement or termination of an employee. I have the information the AG's office sent me in 2009 if anyone would like a copy I will get them one.

SAFETY, Mr. Culbertson – I do have a few things here left that haven't been said already.

The next Block Watch meeting is Tuesday, October 21<sup>st</sup> at 6:30pm in the lower level of City Hall.

I have the Fire Dept. report for the month of September:

The Fire Dept. responded to 30 fire runs

Made 94 ambulance runs

Made 21 mutual aid EMS runs

Responded to 2 mutual aid fire runs.

SERVICE, Mr. Asbach – I have the Service Department report for September 2014

There were 30 Trucks placed at residences

25 Dumpsters placed at residences

110 Special pick-ups at residences

203.93 Tons of garbage taken to the landfill

34.73 Tons of recycling material

240 Pounds of scrap aluminum

3 pounds of brass

65 pounds of copper

9963 pounds of scrap metal

18 Pounds of stainless steel

PUBLIC IMPROVEMENTS, Mrs. Schildmeyer – The demolition of properties within St. Bernard via the Port Authority is completed. Two additional

demolitions will soon happen on the Vine St. buildings adjacent to the Safety Center.

The Service Center is now occupied and functioning for daily operations. However there are still a few outstanding issues to finish before the project is completed.

Safety Center work is progressing on both exterior and interior portions.

Occupancy of the building should happen during the month of November.

Hamilton County Library is progressing with the placement of the steel beams and columns for the new structure.

Streetscape project is progressing with Duke, MSD and CWW working on their portion of the improvements.

P&G and Emery Oleochemicals are both progressing with their additions/modification of structure. These projects total in excess of \$60 million

Presently there are (2) lots available for new housing via Maronda Homes. The lots are adjacent to the park at Franklin and Tower. On a third lot at this site, a new home is currently under construction.

Negotiations are underway for a Townhome builder to develop the Tower Ave. lots across from the Eagles.

Nearly completed is the remodeling of 4223 Tower Ave. For those interested, the building will be listed by Realtor Sharon Nelson of Coldwell Banker (513-827-2106). This building is a rescue and remodeling project by the CIC.

Lastly, two new business located across from Chili Time are hoping to open by year's end. I'm excited to announce that Laura and Dave Mosely, they wanted me to share with you all, that they are opening a new business. It will be called JuJu Bees. It's going to be a new coffee shop located in the old dry cleaning space.

They will have coffee, several varieties of coffee, tea, hot chocolate, coke, I guess, or diet coke, donuts and food from Servatiis. They will be open from, Monday thru Friday from 6:00am until 5:00pm, and Saturday from & 7:00am until 2:00pm. and closed on Sundays. They plan on putting couches and chairs and they hope it's going to be a gathering space for St. Bernard. Please come out and support our local businesses. If you have any questions for them please let me know.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – Absent.

BUSINESS AND INDUSTRY, Mr. Kalb – No report.

HIGHWAYS AND TRANSPORTATION, Ms. Hausfeld – Absent.

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

Committee of the Whole

Oct. 9, 2014

1. Council approved the minutes of the Oct. 2<sup>nd</sup> Council meeting.
2. Auditor, Peggy Brickweg
  - A. Has been working with the Law Director on bills from the Bank Ave. project. She asked for an additional appropriation of \$30,000 for a “Then & Now” Ordinance to cover the bills. Council voted 7-0 to place it on the table.
  - B. She also said that the Law Library line item was budgeted wrong and needs \$2,000 for the rest of the year. Council voted 7-0 to add it to the Ordinance.
3. Law Director, Curtis Walden
  - A. Asked Council to go into Executive Session at the end of the meeting to discuss pending litigation and negotiations. Council voted 7-0 to do so.
4. Service Director, Phil Stegman

- A. Reported that the leaf truck will start picking up leaves the week of Oct. 20<sup>th</sup>. If you don't want to leave the leaves in the curb, or you have a small amount of leaves, please bag them or place them in cans for pickup.
- 5. Tax Commissioner, Ed Geiser
  - A. Gave Council the annual receipt comparison report that goes thru September.
- 6. Treasurer, John Ungrhue
  - A. Reported that there is \$5,621.17 in the 4<sup>th</sup> of July fund.
- 7. Finance, Don Tobergte
  - A. Reported that the committee met tonight to begin work on the 2015 budget. He will get with the Mayor on Monday to see where to make some cuts to balance the budget.
  - B. He received word from Phil that the pool filter system will need an ultra –violet filter system by 2017 at a current cost of \$54,000.
- 8. Safety, Ray Culbertson
  - A. Reported that the next Block Watch meeting will be Tuesday Oct. 21<sup>st</sup> at 6:30 in the lower level.
  - B. Thanked the residents and candidates for coming to last night's town hall meeting that he hosted along with Diana Schildmeyer and Steve Asbach.
- 9. Mr. John Metz thanked Ray, Diana and Steve, on behalf of his brother Jerry Metz, for hosting the town hall meeting last night for the people running for State and County offices.
- 10. Council met in Executive Session to discuss pending litigation and negotiations.

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

## **COMMUNICATIONS**

None.

## **RESOLUTIONS AND ORDINANCES**

Motion by Mr. Asbach, seconded by Mr. Culbertson to read this evening's Resolutions and Ordinances by title only. Motion passed 5-0.

**ORDINANCE NO. 43, 2014. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND PROVIDING FOR THE PAYMENT OF THREE (3) INVOICES COVERED BY "THEN AND NOW" CERTIFICATION OF PURCHASE ORDER EXCEEDING \$3,000 AND DECLARING AN EMERGENCY.**

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer for Ordinance no. 43, 2014 to take its regular course. Motion passed 5-0.

## **REMARKS**

Mrs. Brickweg – I'll just explain it next week instead of reading it twice.

Mr. Peck – Fair enough.

Motion to have Ordinance No. 43, 2014 take its regular course passed 5-0.

## OLD BUSINESS

Mayor Burkhardt – Concerning next week’s meeting, if we move it up, if Kim Burke can get here at 6:30pm to go into Executive Session, if Council approves, 6:30pm, so we can get him out of the way before we get into Council and the Special Meeting and everything. Everybody can make that? What I will do is I will put 6:20pm for the meeting with the Treasurer and 6:30pm for Executive Session and 7:00pm for the Special Council Meeting.

Mr. Asbach –With mention of the new Police Clerk, I don’t want this to lag on. At some future COW I would like to discuss the, I’ll call it the new pay Ordinance for the Deputy Auditor, just so that doesn’t get forgotten next year.

Mr. Tobergte – Bill, I have questions. Why was the home inspections cancelled this year by the Fire Dept.? Was there a special reason?

Mayor Burkhardt – Well the Chief is here, so we can ask him.

Kerry Meyer, Fire Chief – I’ve been on the Fire Dept. almost 25 years and when we first started there were, it’s been going on longer than that but back when I started a lot more people were at home than they are now. Everyone, pretty much that was home, let us in to their homes. As we’ve gone through the years, especially the last five or ten years, fewer and fewer more people are home and of the ones that are home probably at least half if not more refuse us entry. It basically became more of a waste of time. We were going out all afternoon and maybe getting in five or six homes with six or seven guys going out. I just decided that it was too much of a waste of time and it would be better to use Call Command and make an announcement at Council that anybody that wishes to have one we would be more that happy to do it. To actually go out and go door to door just seemed like a waste of time.

Mr. Tobergte – While you’re up there, you gave a detailed report, is there a lot of 24 hours, are we getting close, contractually to the 360 hour maximum? Is anybody getting close to that?

Kerry Meyer, Fire Chief – We’ve got two people that are actually at 360 but they were at 360 before the new policy was instituted so they were there from the old system from seven or eight years ago. We’ve got two other people that are kind of close but they use it and get it back down and they may build it back up but other than that they are the only ones that are in that range. You have to remember, we probably had a third of the department that had either two hours or less. Our six new employees in the last three years all had zero. We had other people that were at basically zero. No there is still plenty of room for the 360.

Mr. Tobergte – The past two Chiefs would count themselves as Fireman. They would log 16 hours a day. You’re not doing that anymore?

Kerry Meyer, Fire Chief – I’m not and that’s partly accurate. When we were really desperate, I know, I don’t know about Steve Scherpenberg, but former Chief Don Moeller, when we were two or three people short he did that because there was a crunch with overtime, but that was for a very short time and the rest of his tenure he did not count and I actually addressed that with him before I became Chief and asked if he thought I should do that and he recommended to me to not do it

because it was too much of a hindrance on the job of Chief if you had to stay at the station all the time to run the unit and things like that. But, so no, I'm not doing that, and it is something that could be considered but I don't know, its like I said, I don't know if Steve did it but I know with Don it was, but it was only for a very short time, it wasn't for his entire tenure.

Motion by Mr. Asbach, seconded by Mr. Culbertson that we have a "Special Council meeting at 7:00pm next Thursday and the Executive Session at 6:30pm. and COW after that. Motion passed 5-0.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to put the Ordinance on the table for the new Police Clerk. Motion passed 5-0.

## **NEW BUSINESS**

None.

## **AUDIENCE WISHING TO ADDRESS COUNCIL**

Kerry Meyer, Fire Chief – Since it was brought up about the Deferred Time Off, I actually ran some numbers today and made a report. I think you all understand what is going on. But if you remember when I took over as Chief I instated a policy in order to save overtime to let people work what would normally be overtime to work that time for Deferred Time Off which is basically time that they can take off at a later date so long as it doesn't create overtime. The 360 hours that Mr. Tobergte was talking about, that's in our contract. That's the maximum that they can use. They cannot cash that out until they retire. It's not something that they can cash out at the end of the year or anything like that. I know it's been discussed that its possibly kicking the can down the road like saving overtime now but you're taking on a liability later. So I ran some numbers, I wanted to go by tonight, even with the addition of using the men for DTO instead of overtime. If we used overtime instead of DTO it would have cost us an extra \$10,835.00 this year. So that is a savings we have. Like I said the argument is Okay, that's fine but we're kicking it down the road but to show you how these numbers work, so far this year, there has been a total of 718 hours earned by people working and they've earned 718 hours of DTO but they have used 1130 hours. So even with us using men instead of overtime for DTO, the City's liability has still gone down over \$12,000.00 this year. I think if you add the two together I think the program really is working the way that myself, the Mayor and the Safety Director had talked about and designed. I just wanted to explain a little bit that in theory it is kicking it down the road if the people never use it but I think the numbers show that they are and if you look back at 2013, only 606 hours used where this year we're already at 1130 and I believe the reason for that is that the men understand that now there is a way to earn the DTO , they are more willing to use it. I just think it is a good program, that before, if they only had a limited number of hours, if they had 50 hours on the books, and they had no way of earning it for the rest of their career, they were only going to use that if it was really, really important to them. Where now, were they have an opportunity to earn it at a later date, they're more likely to take it off much more frequently. So I just want to run those numbers by you so you all understand that, yes, we are incurring some liability instead of the overtime but overall that liability is actually going down for the City every single year. So I just wanted to explain that.

Mrs. Schildmeyer – Chief, I comment for thinking outside the box and I hope you continue to come up with new ideas like this. Thank you.

Motion by Mr. Asbach, seconded by Mr. Kalb to excuse the absent members.  
Motion passed 5-0.

Mr. Asbach – Next Thursday, October 23<sup>rd</sup> Council will go into Executive Session with Mr. Kim Burke the City's Attorney to discuss pending litigation followed by a Special Council Mtg. at 7:00pm followed by the regular COW after that. Since there are five Thursdays in October we will not meet on Thursday, October 30<sup>th</sup> because of the bumping up a week.

Motion by Mr. Tobergte seconded by Mrs. Schildmeyer to adjourn. Motion passed 5-0.