

**ST. BERNARD VILLAGE COUNCIL MEETING
APRIL 5, 2018**

The regular meeting of the St. Bernard Village Council was held April 5, 2018 in Council Chambers

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

Roll call showed that all members were present: Mr. Tobergte, Mr. Bob Culbertson, Mr. Kalb, Mrs. Bedinghaus, Dr. Chastain, Mr. Ray Culbertson, and Mr. Siefert.

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

Mayor Estep swore in Mike Matheson as Lieutenant for the St. Bernard Police Department.

REPORTS OF VILLAGE OFFICIALS

MAYOR, Mr. Estep – Again, I congratulate Mr. Mike Matheson, he has been a faithful officer for many years and he's done a great job within and outside in this district as well.

Just to give you an update, we are currently in negotiations with the Fire Department on a new contract and while I'm here talking about that I'd like to ask Council to go into Executive Session for contract negotiations at the proper time. Thanks again for the great turnout for Easter. We had just under four hundred participants, small and large, young and old. We reached a lot of people on that day and it was a great turnout. A special thanks to the Service Department, fire employees and especially the Recreation Department. Everybody really chipped in and stepped up and did a great job. I need to point any one person out but I don't think we could pull this off without Ed Kallmeyer. He does, he knows everything from A to Z and he does a great job every year. So, thanks again Ed.

A big thanks goes out to Paul Schildmeyer. He's worked, and I couldn't exclude Tommy Paul as well, they worked and attended many meetings with the Reds organization and P&G and in October they're going to start on the renovation of Ross Avenue Park. The total that they raised with the help of all the donations from P&G and others is around \$200,000.00 to work on the field. And we're going to get some volunteers to redo the stands and the dugout and make that once again hopefully the gem of the valley for softball and hardball and other activities down there.

AUDITOR, Mrs. Brickweg – The Auditor's office provided Council and the Administration with end of March 2018 Expense and Revenue spreadsheets and Cash Fund Report. The Village's year to date expenses were \$3,332,885.48 which are down \$57,853.11 compared to 2017. The revenues were \$2,578,282.68 which are down \$110,077.62 compared to 2017.

I would like to suggest the official Council meeting to the second meeting of each month, instead of it currently being the COW. I know this was changed last year

but since the budget is so tight and the investments are down I believe it is very important to have the availability to be able to have appropriation Ordinances on the table if needed each month. The problem with having the official council meeting the first of the month does not allow for the previous months to be closed out and reviewed to see if transferring of funds and appropriations are needed for that month. So, if you want to put that on the agenda for the next COW, I'm assuming you'll have your numbers ready, it's really hard, we do get ours together but we had to put everything else aside in order to do that. So, I just think this is something we might need to do.

DIRECTOR OF LAW, Mr. Peck – (read by Mr. Stuchell) Dear all, Ordinance No. 16, 2018 amends our procedures for Council. It merely deletes the antiquated procedure for obtaining the recorded minutes. This law is now governed by State Code which supersedes it. Therefore, it should also be passed emergency. Sorry I could not be here, but my son and I are attending the Cavaliers game in Cleveland, for his birthday. Have a great weekend.

TREASURER, Mr. Ungurhe – This evening I have prepared the inventory detail report for the Village per our assets at Fifth Third Bank. We continue to remain at \$150,000.00 with maturity at the end of this month. Also, the Star Ohio balance at the end of March totaled \$1,912,274.86. Copies have been distributed to Council members and to the Clerk.

SAFETY DIRECTOR, Mr. Stuchell – I would like to congratulate Lt. Matheson on his promotion and I am very excited for the St. Bernard Police Department. Mike's experience in investigations and in previous leadership roles will complement the department well as a member of the command staff.

I would also like to thank officers John Marconi and Pat Witte who have recently accepted positions with other departments. The St. Bernard Police Department and the Village of St. Bernard appreciates your service to the community.

The Nuisance Committee has recently taken action on a property on Advance after numerous citizen complaints and an unacceptable amount of emergency responses to the residence. This committee, consisting of myself, the Safety Director, the Law Director, the Service Director, the Building Commissioner, the Health Inspector, the Police Chief and other members of the Police Command Staff, the Fire Chief, and the Deputy Tax Commissioner took immediate action to bring peace back to the neighborhood. I would personally thank all of the members of this committee for their time and effort, but ultimately, I want to thank the residents for everything that they did to assist us. Without your information and your patience. We never would have been able to do this without you. So again, I can't thank you all enough for the cooperative effort. This will not be the last stop for this committee. Let it be known that we will continue to move on other problem properties when needed.

Just a brief update on the electronic billboard on West Ross. We are working with the attorneys who represent Norton Sign Company and we will give you all an immediate update as we progress.

Another reminder, you will be seeing more activity in the Code Enforcement Department. We are ramping up inspections so be prepared for notices that will be arriving.

I have the St. Bernard fire run department report for the month of March 2018; there were a total of 76 EMS details with 51 patients being transported. Mutual aid given for the month; 8 times to Elmwood, 4 to Norwood, 1 to Cincinnati, 2 to

Little Miami and 2 to Springfield Twp. Mutual aid received 2 from Cincinnati and 1 from Norwood. Details of interest; 7 unconscious patients, 5 auto accidents, 1 overdose and 4 non-breathers.

The total number of details for the month; 35 fire details. Mutual given aid; 2 to Elmwood, 2 to Cincinnati, and 2 to Little Miami. No mutual aid was received. Details of interest; 2 building fires, 3 trash fires and 1 vehicle fire.

SERVICE DIRECTOR, Mr. Paul – We put up for auction a pull behind generator. It generated \$8,000.00.

That old Dial-A-Ride bus went off for \$6161.00 and the big generator has been lowered to \$500.00 as it got no takers. As of 5:00pm this evening, still no hits.

We have started the preliminary paperwork for the upcoming census of 2020. This will be done in stages. So far it has been a webinar about procedures.

Jennifer Vatter of JMA is having recycled bottles made for our EPA public education project. The bottles will be labeled "Keep St. Bernard Clean". These bottles will be handed out at the Shred It Day, May 5, 2018. There will be approximately 100-150 bottles and they will be recyclable of course.

To my community,

Well it appears that it is not easy busting through to spring and our new beginnings. Think of your garden and what you want and had in it. Gather those that make you most serene and happy. Plant and care for them again. Surround yourself with peace. If there was something in your garden that was irritating and not pleasant, rid yourself of that plant. Remember too that tending and doing good for a plant doesn't always mean that you will reap "good" in return. Even a rose has its thorn.

TAX COMMISSIONER/ADMINISTRATOR, Mr. Moore – A couple three things. I will have the March figures in your mailboxes by the COW meeting in a couple of weeks. Secondly, I do have an Ordinance tonight. Ordinance No. 14, 2018 which again brings us into compliance with the State law. And then last but not least, I want to remind everyone and all the citizens that Tax Day this year is April 17. Everyone over the age of 18 who resides in St. Bernard needs to file unless you have an exemption. If you have an exemption, you're retired, you don't have to file. Even if you don't owe anything or you didn't work, if you don't have an exemption you do need to file. And again, instead of April 15 this year, Tax Day is April 17.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Tobergte – The Finance Committee will meet Thursday, April 12 at 7:00pm in Council Chambers. All Department Heads and members of the Administration have been invited to go over this year's budget. We will be looking at the first quarter spending and income to see if any adjustments are needed. My next Townhall meeting will be Tuesday, May 8 at 7:00pm in the lower level of City Hall.

As a reminder, John, Council needs next year's budget by May 7, so we can have a Public Hearing on the budget June 21.

I am going to borrow a phrase from Mr. Paul, now to my community. I am a firm believer in our country's Constitution, especially the right of Freedom of Speech. Recently we had a resident send a fake news article to some residents and members of Council and the Administration. If any resident gets a text or email that looks fake or raises questions, please call anyone of us on Council or the Administration so we can set the record straight. My cell number is 543-6801.

SAFETY, Mr. Ray Culbertson – As mentioned by Mr. Paul, "Shred It Day" will be Saturday, May 5 from 9:00am until 11:00am at the Safety Center parking lot. Thanks to Block Watch and New Shoots Landscaping for sponsoring the event. The next Block Watch meeting will take place on Thursday, April 26 at 6:30pm at the Safety Center.

I would like to echo with everybody else that said thanks to officers Maroni and Witte for their service to our Village as they move on to other endeavors. And also, congratulations to Lt. Matheson on his promotion.

SERVICE, Mr. Siefert – I have the Service Department report for March 2018. There were 24 trucks placed at residences, 35 dumpsters placed at residences, 107 special pick-ups at residences, 182.94 tons of garbage taken to the landfill, 36.10 ton of recycling material and 3,160 pounds of scrap metal.

I too would like to congratulate Lt. Mike Matheson and I'd like to thank the Recreation Department along with the Service, Fire and Police Departments for all their efforts in making Easter Festivities this past Saturday a fun time for all. This is one of the main things I love about our Village.

PUBLIC IMPROVEMENTS, Mr. Bob Culbertson – Just to remind everybody, the next CIC meeting is April 17 at 6:00pm in the lower level. The CIC is still accepting applications for the properties that are available. Check the St. Bernard Village website. There is a section that actually has a listing of those properties and just to make the announcement, we did fill our one position on the CIC Board so we will welcome James Rutherford to the Board and I think he'll be a great, he already has with the rest of the members of the CIC, job for what we want to accomplish with the CIC.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – Tonight the Laws, Contracts and Claims Committee did meet. We reviewed and revised some of the manual and protocol, policies and procedures for Village Council. They will now go to Mike Peck, he will review them, we will discuss them again and if there are any other changes in the next COW and then I'll have them available to Council members.

BUSINESS AND INDUSTRY, Mr. Kalb – No report.

MARKETING, Dr. Chastain – No report.

Mrs. Kathman – The COW report is posted as follows.

Committee of the Whole
March 15, 2018

1. Council approved the written minutes of the March 1, 2018 Council Meeting. Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson.
2. Mr. Asbach stated that the Rules of Council would be put in the Laws, Contracts and Claims Committee and discussed at the next meeting.
3. Marcie Longnecker of the "Ohio Checkbook" presented an informative overview of the new system St. Bernard will be using for our residents to be better informed. The new system includes in detail how all tax dollars are spent. The website is stbernard.ohiocheckbook.com

4. Mr. Asbach addressed some issues brought to Council by the organization P.I.T.A. He explained:
 - a. The agenda for Council meetings runs the same every meeting and the COW agenda is published on the website.
 - b. More copies of Ordinances will be made readily available.
 - c. Council members felt they had done a better job of determining what had to go by emergency.
 - d. Mr. Peck is following up with ADA for the hearing impaired.
 - e. Council members felt that an explanation of Ordinances was given by the member bringing that Ordinance to the table.
 - f. Minutes and Ordinances are published after they are approved.
 - g. The City does not have a Facebook account.

5. Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to have Ordinance No.15, 2018 put on the table. Motion passed 5-0. (updating the Codified Ordinances)

6. Mayor, Mr. Estep
 - a. Thanked Ms. Longnecker for her presentation.
 - b. Stated there was progress with the negotiations with the Fire Department contract.

7. Auditor, Mrs. Brickweg, I would like to thank Marcie Longnecker from the Ohio Treasurer Department for attending tonight's meeting and explaining the Ohio Checkbook. I hope many of the residents will take the time to view St. Bernard's checkbook.
 - a. The Auditor's office provided Council and the Administration with end of February 2018 Expense and Revenue spreadsheets and Cash Fund Report. The Village's year to date expenses were \$2,214,642.30, which are down \$88,438.38 compared to 2017. The revenues were \$1,429,432.92 which are up \$27,012.65 compared to 2017.
 - b. Told Council it may be a possibility we may have to delve into reserves if taxes were not forthcoming as they usually are.

8. Law Director, Mr. Peck
 - a. Reported the Council Rules issue will be put into the Laws, Contracts and Claims Committee.
 - b. Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to put Ordinance No. 16, 2018 on the table. Motion passed 5-0. (pertaining to procedure getting audio minutes)

9. Safety Director, Mr. Stuchell
 - a. Talked about a nuisance on Advance Ave. that is being taken care of.
 - b. Stated the new Planning Developer is working to take care of the new LED sign on W. Ross.
 - c. The next CIC meeting will be next Tuesday, March 20 at 6:00pm. Looking for a resident board member.

10. Tax Commissioner/Administrator, Mr. Moore
 - a. Explained that the passage of Ordinance No. 14, 2018 would bring St. Bernard in compliance with HB 49.

- b. Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to put Ordinance No. 14, 2018 on the table. Motion passed 5-0.
- c. February figures were put in Council's mail boxes.

11. Treasurer, Mr. Ungruhe

- a. Reported that the account at First State Bank for the upkeep of the monument has \$5,641. 40.

12. Safety Committee, Mr. Ray Culbertson

- a. Reported that the next Block Watch meeting will be Thursday, March 22 at 6:30 PM.
- b. A Shred It Day will be May 5, from 9:00am until 11:00 am at the Safety Center.

13. Public Improvements, Mr. Bob Culbertson

- a. Reminded everyone that the next CIC meeting will be March 20 at 6:00pm.
- b. Stated the CIC is taking applications for a couple available properties.

15. Laws, Contracts and Claims, Mrs. Bedinghaus

- a. The Committee will meet on April 5 at 6:00 to review Council procedures.

16. Marketing, Dr. Chastain

- a. The external marketing group is working to upkeep the Village website.
- b. The same group is trying to get an electronic newsletter.
- c. The new date they meet will be changed to the first Tuesday of each month at 7:00 PM.
- d. Marge Niesen is working with John Newberry to get some Village themed drawings on the Canal wall.
- e. Work continues to get a media outlet list.
- f. Historical Society has a meeting March 19 at 7:00 in Centennial Hall.

17 Audience Participation.

- a. Suggested that the Village get into the electronic billboard business.
- b. Thanked Council for addressing the concerns of P.I.T.A.
- c. Stated whoever makes motions and votes is required to be on record.

Ordinances for the next Council Meeting

Ordinance No. 14, 2018 bringing St. Bernard in compliance with HB49

Ordinance No. 15, 2018 updated St. Bernard's Codified Ordinances

Ordinance No. 16, 2018 update a previous Ordinance

Motion by Mrs. Bedinghaus, seconded by Dr. Chastain to excuse the absent members. Motion passed 5-0.

Motion by Mr. Ray Culbertson, seconded by Mr. Siefert to adjourn. Motion passed 5-0.

COMMUNICATIONS

None.

RESOLUTIONS AND ORDINANCES

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

ORDINANCE NO. 14, 2018. AN ORDINANCE TO AMEND THE VILLAGE INCOME TAX CODE TO ADOPT SECTION 718.80 TO 718.95 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to suspend with the second and third reading of Ordinance No. 14, 2018. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Siefert to adopt Ordinance No. 14, 2018 as read. Motion passed 7-0.

ORDINANCE NO. 15, 2018. AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF ST. BERNARD, OHIO, REVISING THE TRAFFIC AND GENERAL OFFENSES CODES TO COMPLY WITH STATE LAW, AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to suspend with the second and third reading of Ordinance No. 15, 2018. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Siefert to adopt Ordinance No. 15, 2018 as read. Motion passed 7-0.

ORDINANCE NO. 16, 2018. REMOVING SECTION 3 OF 121.10 (g) OF THE ST. BERNARD CODIFIED ORDINANCES, THE PROTOCOL, POLICY AND PROCEDURES CODE SECTION, AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Siefert to suspend with the second and third reading of Ordinance No. 16, 2018.

REMARKS

Mrs. Brickweg – I just wanted to let everybody know, I took a class on open records and one of the things, records meeting, the one thing I think most people don't do correctly here is they keep telling everybody they have to put their public records requests in writing. That's illegal. So, I know I've heard it over and over at City Hall and Heidi and I talked about it, she said she has told the people that that's illegal, so I just wanted to let you all know that. I've never done it just because (inaudible) them their records but we cannot tell people that, that we're not going to give them the records unless they put it in writing. So, I just wanted to let you guys know that in case you did not know that correctly.

The motion to suspend passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson to adopt Ordinance No. 16, 2016 as read. Motion passed 7-0.

OLD BUSINESS

Mr. Tobergte – Jonathan, I know we talked about, on and off for about a month or so now, is there any more work on the letting the Friars lease on the parking lot.

Mr. Stuchell – No, I, there's not been anything else further done. I will do that. I apologize, we've had other things to deal with, but we will. I don't know that, initially when we talked to Annie Timmons, the whole idea was, she was looking at this where we take, make the revenue as if we put in either one of two things and actually charge for it. I would like to not have to have someone down there. I prefer not to deal with that. So, ultimately, I agree with the idea whether or not they would pay something on a flat lease or that we could mark off a certain area where they could use, but my intention was, if they wanted to do that, and she had put those ideas to me before whether we split the revenue if they had somebody there collecting but as the cost to putting meters in would be excessive. But we will, between the Mayor and myself work with having to set a meeting. I apologize using all of my spare time on some other efforts right now. So, if it can wait a month, I'll get to it.

Mr. Tobergte – That's fine, I just wanted to remind you. Also, I know the Police Department monitors security systems are register free. I talked to Officer Setters and the Chief. I think we need to start looking at charging the residents some money, if we're charging the garbage fee for garbage pick-up, I don't see why we can't charge something for monitoring the security systems.

Mr. Stuchell – To add to that, one of the things with respect to the monitoring of the security systems, if we were to expand this program it would require a slight equipment upgrade. That doesn't mean a new monitoring system but there is an upgrade that will allow us to implement the monitoring of the wireless systems. Currently not everybody has it plugged into their phone line so, the ability to be able to do that, but if we would come up with a fee schedule that would be fair and then we could bring that back to Council based on the number of actual residents and businesses that we're already working with. Also, being able to expand on top of that the use of potentially monitoring some of the cameras that are existing around the Village and other businesses. So, again, I'm going to bring that back to Council. We are working on that and trying to come up with maybe a fair fee to help offset some of these other equipment purchases but I think they're getting a heck of a deal having it monitoring it right here.

Mr. Siefert – Jonathan, do you have any idea about the zoning hearing for the residents for West Ross or when that would take place?

Mr. Stuchell – With respect to that, there has not been a hearing scheduled as of yet. And the reason for that is that ultimately the only way that the hearing itself will be scheduled is if indeed they apply for a variance. And again, based on what we have found, because again, we're working with the attorneys from Norton Sign right now. Technically they are able to have an LED sign but only a static sign. What was in the plan itself stated is that, again, it was only going to be a static sign. But obviously what they installed was a variable message sign. So we are working with them to try to rectify that. But if indeed they were to apply for a variance the variance would be for them allowing them to have a variable message sign. My goal in this in all honesty is to basically bring it into compliance and not allow it to come to a variance. I mean I don't want to, I honestly don't want to settle for that. I mean I would have a problem living there so, I don't want to have the residents have to deal with that. So, we're trying to work from the legal side of it.

As of right now, there's not going to be a zoning hearing unless they apply for a variance. But we will keep in close contact with the residents of your Ward for you and other members. Again, there are a direct few that are grossly impacted by this. I mean, yes, the entire Village is, but there are some that are definitely feeling the burden and I want to make sure that, you know, we take care of this for them. But we'll keep you posted. In all honesty, this could take a little while. Again, if indeed we can't rectify it, you know, in the way it should be just internally we may have to go to court.

NEW BUSINESS

Motion by Mr. Ray Culbertson, seconded by Mrs. Bedinghaus to go into Executive Session after the regular order of business to discuss contract negotiations. Motion passed 7-0.

Mr. Moore – This probably should have been included in my report. In the Tax Office we've gotten several calls from citizens the past few days. Someone from the IRS has called them and requested more information or asked them some questions. I just want to remind everyone and all the citizens, the IRS will never call you on the phone. So, if you receive a call from someone claiming to be from the IRS, it's a scam. Hang up immediately. If you receive a call from our Tax Office, we have no problem saying to us, let me call you back, so that you can call us at our number and know in fact that you are speaking with someone from our Tax Office. But we've had several calls lately and it kind of was disturbing that somebody is trying to get information and so forth, but the IRS will never call you on the phone, nor in most cases ever send you an email. So, if you get an email from the IRS also be very, very leery of that. The IRS deals through snail mail and the U.S. Post Office.

Mr. Stuchell – We have one request and again, this may have, the way we've handled the sale of equipment for the Village, there was one piece of equipment that was not included in, as far as what was put up for bids in the manner in which the generator and the bus was sold. According to the Law Director, we cleared this, that again, the Village is able to sell a piece of equipment or a vehicle to another municipality. And currently we are going to be selling our third ambulance to the Village of Elmwood Place for \$6,000.00. Currently in looking at that that is a fair price. Also, because that is a municipality that we provide aid for. If their ambulance breaks down, we are providing more aid to them. The vehicle that we are selling them is a reliable vehicle and I think it is a fair price. So, again, we just wanted to put that on record that, again, that's not going out in the same fashion that the other equipment was, but we are selling that directly to them. They have the funds, the check ready to hand to us. Just wanted to make sure that ultimately Council is okay or didn't have any questions with that.

Mr. Tobergte – I'm sure I'll get in trouble for asking this but if it's a reliable vehicle what did we buy an ambulance for then? You said it's a reliable vehicle we're giving to Elmwood. If it's a reliable vehicle, why did we buy a new ambulance. Did we have to replace a new ambulance?

Mr. Stuchell – I'm saying it runs. It's a 2000 model so it's the third ambulance that we have. Again, it's, I'm not saying it's dated by any means but again, at this point we have a third ambulance that we need to sell so as far as answering the question

about the need for a new ambulance and I'll let the Fire Chief answer that if you want to ask that question, but it was.....

Chief Meyer – A couple of things, it used to be we got new ambulances every five years. Every five years it was the first line ambulance and for the second five years it was the second line ambulance and then we'd get rid of it. We extended that out because of the financial situation with the City. But, yes, it's a reliable vehicle but I think this will probably get me in trouble, but I think the standards we have compared to what Elmwood has because of their resources are completely different. We've never had an eighteen-year-old ambulance. And yes, it's still runs but it's not, we were having some issues mechanically and just as importantly the box in the back also was aged. So, I mean, you know, when we got the new ambulance, I mean, I don't think there really is no doubt that we needed a new ambulance. It was probably five to six years past what we normally would keep an ambulance for. So, it was well overdue to be replaced.

Mr. Bob Culbertson – Yeah, I just want to put out to Jon and if I can get a five-year budget of our capital expenses that we're projecting over the next five years just so we can keep that in front of us because I know we were talking, you know we get ambulances and it seems like every five years we're rotating them out. If I could just get some sort of forecast or a budget that says these are the capital, you know, items that we're going to need to purchase within the next five years that will help us, you know, plan out our budget moving forward.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

Mr. Asbach – The next COW meeting will be Thursday, April 19 at 7:00pm. At this time we will go into Executive Session to discuss contract negotiations.

Council resumed the regular order of business.

Motion by Mr. Bob Culbertson seconded by Mrs. Bedinghaus to adjourn. Motion passed 7-0.