

**ST. BERNARD VILLAGE COUNCIL MEETING  
AUGUST 9, 2018**

The St. Bernard Village Council Meeting was held Thursday, August 9, 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 six members were present; Mr. Tobergte, Mr. Bob Culbertson, Mr. Burkhardt, Mrs. Bedinghaus, Dr. Chastain, and Mr. Siefert. Mr. Ray Culbertson was absent.

Mrs. Bedinghaus made a motion to dispense with the reading of the minutes. Mr. Burkhardt seconded the motion. Council agreed 6-0.

Mr. Stuchell introduced two new police officers, Alex Mathis and Aaron Grant, to be sworn in for duty.

Mayor Estep swore in the two new police officers.

Mr. Stuchell then introduced Brian Young as the new Fire Chief and Brett Fogel as a Lieutenant.

Mayor Estep then swore the new officers as Chief and Lieutenant.

**REPORTS OF VILLAGE OFFICIALS**

MAYOR, Mr. Estep – Paul Schildmeyer and Mrs. Brickweg met and it looks like it's going to be a good thing for both groups. It was a good meeting. I scheduled a Department Heads meeting for possibly next week. I've got a couple of things going and I met with Charlie Frank. It looks like Peggy and Paul Schildmeyer have things going in the right direction now at Ross Park.

AUDITOR, Mrs. Brickweg – The Auditor's office provided Council and the Administration with the end of July, 2018 Expense and Revenue spreadsheets and Cash Fund Report. The yearly expenses were \$6,961,952.81 and the revenues were \$7,927,001.60. Year to date the revenues are \$965,048.79 over the expenses.

The Auditor's office prepared Ordinance 24, 2018. It moves

FROM:

04-SP-1 Swimming Pool Managers \$4,000.00

04-SP-9 Equipment Maintenance \$8,000.00

TO:

04-SP-2 Swimming Pool Employees \$12,000.00

I am happy to report that the Village received an unexpected \$8,167.15 from the Hamilton County Auditor's Real Estate Assessment Fund. This is the Village's portion of the \$14 million unspent balance in the fund. The money comes from a

fee which is calculated as a percentage of the County's total tax collections. State law provides the County Auditor to return excess funds to various taxing authorities. The return is pro-rated based on the annual property tax.

I would like to be placed on the next Committee of the Whole meeting to discuss a possible new line item and appropriation that would be required if the Village decides run the St. Bernard Dance program through the Recreation Department.

Also, the Village employees are filling out expenses and a very long health history in hopes of going out for better premiums or better rates for next year. Currently they are filling out the fire form. It is due tomorrow. If any of the employees have any questions that have not been answered they can feel free to call me tomorrow.

DIRECTOR OF LAW, Mr. Peck – Tonight we have Ordinances Nos. 25 and 26, 2018. 25 is the tethering of dogs which is in addition to our Chapter 505.22. In extreme conditions to 505.18 which is identified by the Safety Director based on issues he has seen in the community. With his help, he identified the appropriate Ordinance in Cincinnati and we have used theirs for your consideration. Ordinance No. 26 is regarding the drones. It just says you can't use it recklessly or endanger lives or property. It also cites the Federal Aviation Administration standards. So, as long as you operate within those guidelines you should be okay. As you recall, we did have, some litigation the landfill. No news is good news. But I do have some news, not necessarily bad news. Tim Burke is retiring. That's our attorney that kind of let us do that process. I want to congratulate him and thank him for his help through those difficult times. Curtis Walden, they both did an excellent job, but our attorney is retiring at the end of the year. He said he is going to leave us in good hands but I do hate to see him go as he did a heck of a job regarding the landfill. So, if you have any questions on that just let me know.

TREASURER, Mr. Ungruhe – This evening I printed out for Council and the Clerk the Star Ohio account. At the end of July the total value of the fund from that account totaled \$2,924,924.95 and that includes the deposit that the Auditor mentioned last month that she made at the end of the month, July 25, of \$1,000,000.00 but keep in mind that she actually took out \$400,000.00 at the end of the year so the actually net there is \$600,000.00.

SAFETY DIRECTOR, Mr. Stuchell – I have the report for the St. Bernard Fire Department for the Month of July; run information for July 2018; EMS Details were 70 with 37 patients transported. Mutual aid given; 3 to Elmwood, 1 to Cincinnati. There was no mutual aid received this month. Details of interest; 7 auto accidents, 4 unconscious, 1 overdose, 1 non breather. Fire run information for July 2018. Fire details; 30 total runs, mutual aid given 1 to Little Miami, 1 to Deer Park, 1 to Green Township. Mutual aid received, 2 from Norwood, 1 from Elmwood Place, 1 from Little Miami and 1 from Wyoming. Details of interest, 3 structure fires, 1 appliance fire, 1 other fire, 4 auto accidents.

I would like to acknowledge the St. Bernard Fire Department and the St. Bernard Police Dept. for their quick response and take down of a structure fire on Phillips Ave. on Sunday, July 29<sup>th</sup>. Our police department was on scene first and learned that there were 3 dogs still in the home so they were able to prop both the front and rear doors open with the hopes that they could get out. Upon arrival, our FD made a quick interior take down of the fire with the assistance of mutual aid crews from Elmwood Place, Little Miami, and Norwood. Fortunately, all 3 dogs were rescued and the home was not a total loss. Thank you again for your efforts and making the community proud.

I would like to thank Kerry Meyer for his service as Chief and wish him the best. I would also like to acknowledge two individuals, John Powers from Roger Bacon High School and local celebrity, Manzie Williams who assisted at an accident scene last month. Early last month there was an accident on Vine St. In front of St. John's Cemetery where one of our residents was on their way out of the Village when they were struck by a vehicle who crossed the center line and spun her vehicle around. The other driver who was driving a friend to a rehab center was coincidentally impaired at the time and created a large traffic nightmare. This all occurred during a very busy time during the first shift so these two gentlemen assisted in directing traffic so our officers could tend to the scene. So, thank you for stepping up, your efforts are greatly appreciated.

On August 7, 2018 at 4:31am. officers were dispatched to a man down on Chalet near E. Ross Ave. (incident #18-5348). Officer Ingram was part of a two man unit as he was training Officer Aaron Grant. Officer Ingram arrived first and immediately called for medics for a suspected heroin overdose. Lt Nimmo arrived seconds later and observed that the subject, a male/white in his 40's, was unresponsive and struggling to breath. Officer Ingram was trying to revive him and had begun a sternum rub. These attempts had no effect and the subject stopped breathing. Officer Ingram started chest compressions and after 10-15 compressions the subject began breathing on his own. Approximately a minute and half later the subject stopped breathing again. Officer Ingram again started chest compressions and the subject began breathing again. This repeated a third time before the medics arrived.

Medic 91 arrived and immediately loaded the subject and administered Narcan. Initially the Narcan did not appear to take effect and after several minutes the subject was still not breathing on his own. The subject was transported to U.C. Hospital where he was successfully revived.

I am certain the Officer Ingram's caring intervention during this event prolonged the subject's life long enough for Narcan to be successfully administered. Thank you Officer Ingram for your actions, job well done.

You all have probably seen the numerous posts on our PD Facebook page about cars being unlocked and items being taken such as change, electronics, weapons, and other personal items. Please keep your vehicles locked and remove your valuables. After our last Council meeting I met my wife for a late burger at St. Bernard Pub and while finishing our dinner I watched 2 people running around the municipal lot behind LaRosa's going from car to car checking handles. It caught my attention since 2 of the cars belonged to me and I watched them enter two vehicles. I immediately called our PD who responded immediately while I was chasing them up Martin. Luckily with the help of a couple great neighbors 1 juvenile was apprehended immediately and the second the next day.

Coincidentally, these same two young punks were involved a week later in a burglary on Church St. Thanks to the hard work of our PD felony charges were filed on all 5 subjects involved in this case.

The CIC is asking to be put on the agenda for the next COW meeting to request the release and termination of the restrictions set forth in the parking agreement for the shopping center. Our CIC Secretary and Real Estate Attorney, Meredith Hughes will be here to explain the request. We will email additional information to the Council members for review before the meeting.

SERVICE DIRECTOR, Mr. Paul – Absent.

TAX COMMISSIONER/ADMINISTRATOR, Mr. Moore – (read by Mrs. Brickweg). Mr. Moore apologizes for his absence but he has family obligations out of town this week.

Everyone, attached are the July Earned Income Tax receipt totals. We had another good month in July. However, this month's increase over July of last year is the direct result of a one-time large withholding tax payment made by one of our larger employers. I met with my contact at this employer in person, and I was assured that it was monies owed to St. Bernard because of one-time bonus payments made to some of their employees. Therefore, we cannot depend on this additional income going forward.

I would caution everyone that next year some of these employees may file for refunds as they do not spend all of their working hours in the Village. I will keep you advised as we go forward.

Please feel free to contact me if you have questions.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Tobergte – My next Townhall meeting will be Tuesday, August 14 at 7:00pm in Centennial Hall.

The Fire and Police Steak Fry is being held Friday, September 14 in the pavilion at Vine Street Park. Tickets are still \$15.00 for a steak dinner.

Last Saturday Block Watch started painting curbs to help out our Service Dept. We had 10 volunteers. While working in town this week, I had a few residents ask if we could paint the curbs by their houses, we will be discussing if we are going to continue helping the Service Department at our next meeting.

SAFETY, Mr. Ray Culbertson – (read by Mr. Tobergte) The next Block Watch meeting will be Thursday, August 15 at 6:30 in the Safety Center.

SERVICE, Mr. Siefert – I just want to congratulate Office Matthis and Grant as well as Chief Young and Fogel.

The Service Department report for July, 2018. There were 34 trucks placed at residences, 29 dumpsters placed at residences, 259 special pick-ups at residences, 194.84 tons of garbage taken to the landfill, 27.25 tons of recycling material and 3,080 lbs. of scrap metal.

I have a message from the Service and foreman Mike Wiedman. If anyone on Council or Block Watch or citizens have questions about the Service Department, how it is run or what they do, please feel free to call Foreman Mike Wiedeman at any time at he will be happy to speak with you. If you leave a message, a return call will be made ASAP. The Service Department is always available to the citizens. The garage number is 513-242-0086 and the foreman's cell number is 513-616-3413.

PUBLIC IMPROVEMENTS, Mr. Bob Culbertson – Just to let everybody know the next CIC meeting will be August 21 at 6:00pm in the Lower Level of the Municipal Building. The CIC has also sold 301 Cleveland this past week to an individual, so we're excited about that. The CIC is also requesting the four remaining properties back from the Port Authority on Cleveland. Once we receive those properties back we will post them for thirty days on the website to give all those interested an opportunity to turn in their financial packets.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – I'd like to thank Mike Peck and Jonathan Stuchell for engaging with the Laws, Contracts and Claims

Committee in bringing Ordinance Nos. 25 and 25, 2018 to our attention and working through this. As Chair of the Laws, Contracts and Claims Committee, I recommend the approval of both of these Ordinances tonight.

BUSINESS AND INDUSTRY, Mr. Burkhardt – No report.

MARKETING, Dr. Chastain – The external marketing group met this past Tuesday and the two members that were present agreed to accept the resignation of the other person that was attending regularly. So, the two other members agreed to dispend that external group and roll all their activities into the Council marketing committee. This is going to be an easier and less confusing set up for all marketing activities. This is what I had thought about but I didn't want to disrespect the work that had been done over the year by the volunteers. I want to sincerely thank everyone who had contributed to that group over the last couple of years for the work that was done. I truly appreciate it.

There is enough business now to have a monthly marketing meeting. That is going to be the first Tuesday of every month at 7:00pm here in Council Chambers. I encourage everyone to attend. We need energy and input. I would, however, and I think, and maybe Mr. Stuchell can comment, if it's not needed, I would like to put a discussion of a German Luau at the next COW meeting agenda so that we can talk about in general whether we should handle the pilot funding through a Village account or Council as primary sponsor or Council as a separate non-profit specifically set up for that festival. That's what Norwood does with their fireworks. I think that's going to be a robust discussion and it warrants a COW discussion. Tom Paul is awaiting confirmation of the newsletter platform integration of the new Village website and once that input is fully integrated we'll start playing with that system. I'll start harassing content writers so we can get that off the ground.

Mrs. Kathman – The COW report has been emailed to Council and the Administration.

Committee of the Whole  
July 26, 2018

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

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to approve the written minutes of the July 12 Council meeting, Motion passed 7-0.

Motion by Mr. Ray Culbertson, seconded by Mrs. Bedinghaus to elect Mr. Siefert as the ICRC representative. Motion passed 7-0.

Mayor, Mr. Estep – Reported that Dominic Walker would like to give a presentation at the next Council meeting.

Questioned if it would be advisable to run the Dance program through the Recreation Department.

Reported the TaiQuando program had some additional funding that could go to the Recreation Department.

Mrs. Bedinghaus thought it was a good idea to have Ms. Walker come and discuss her program.

Mr. Asbach will put Ms. Walker on the next COW agenda.

Auditor, Mrs. Brickweg – A Workers' Compensation rebate was received. The garbage fee was received. Money was put into the investments. The swimming pool line item was discussed and expenses for the season depends on when the pool is closed for the summer which will be taken into consideration when the Ordinance for additional funding is requested.

Motion by Mr. Tobergte, seconded by Mr. Bedinghaus to put the Ordinance for additional funding for the operation of the pool on the table. Motion passed 7-0.

Law Director, Mr. Peck – An Ordinance for tethering of dogs in inclement weather was discussed.

An Ordinance regarding drones was also discussed.

Safety Director, Mr. Stuchell – The CIC Secretary Meredith Hughes will explain what is needed by Council to discuss some issues regarding public right of way at the shopping center.

Two new police officers, Alex Mathis and Aaron Grant will be sworn in to office at the August 9<sup>th</sup> Council meeting.

Congratulations to Greg Lipp for his 30 years of service.

There was more information on the Drone problem and also how the tethering of dogs needed to be addressed.

Service Director, Mr. Paul – The leaking roof at the Safety Center is covered under warranty.

Sanitary issues in two St. Bernard locations were reported.

ODOT plus our State representative Brigid Kelly have been notified about the ruts in yards.

W. Ross issues have been escalated.

Mike Kray would like to use 4700 Vine (the old Police Station) for engineers' offices for the new school buildings. This would bring in revenue while providing space without using mobile offices during the building of the new school.

The fence around Franklin Park will be taken out of the Park budget.

Tax Commissioner/Administrator, Mr. Moore – July figures will be provided to Council.

The Tax Office is short by one worker, please have patience.

Finance, Mr. Tobergte – The next Town Hall meeting will be Tuesday, August 14 at 7:00pm in Centennial Hall.

The Police and Fire Steak Fry will be Friday, September 14 at the Pavillion and the tickets are available from any police or fireman for \$15.00

Safety, Mr. Ray Culbertson – Block Watch will be hosting a paint the curb yellow day on Saturday Aug. 4. at 8:00am. Show up at the Safety Center. A grill out will be held at the Safety Center to feed all the volunteers.

Thanks to Gregg Lipp and Kerry Meyer for their years of service. Congratulations to Brian Young as he becomes the new Fire Chief.

Service, Mr. Siefert – The monthly garbage collection fees were discussed at the Service Committee meeting. Mr. Siefert would like to give a monthly report of the collection fee.

Public Improvements, Mr. Bob Culbertson – A special CIC meeting will be held on July 31 at 6:00pm to discuss the potential sale of property at 4604 and 4606 Vine St. The regular CIC meeting will be held on August 21 at 6:00pm in the lower level.

Laws, Contracts and Claims, Mrs. Bedinghaus – Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to put the tethering of dogs and Drones and Unmanned Aircraft Ordinances on the table for the next Council meeting. Motion passed 7-0.

Marketing, Dr. Chastain – The email Newsletter platform for the External Marketing Group is a key ingredient for the current website. Introductory walking trails include fitness components and potentially a dog park in Ludlow Park. A German festival could be in the works for next year.

The Stingrays took second place to Blue Ash in Championships. Congrats to Iris Miller and all coaches who volunteer.

The next External Marketing Group meeting is Tuesday, August 7 in Centennial Hall at 7:00pm. This is led by Chris Sauer.

Business and Industry, Mr. Burkhardt – First State Bank will be having customer appreciation day on Thursday, August 9 at 11:00am until 1:00pm.

Thanks to Kerry Meyer for his services as Fire Chief. Thanks to Gregg Lipp for all his years of service on the Fire Department. Welcome to Brian Young as the new Fire Chief.

Audience:

1. Registered an objection to tax payer funds going to putting up a fence on private property for a nuisance issue. Mr. Paul stated that the fence would be put on Village property.
2. Healthy life style issues for the community is the issue that Ms. Walker would be bringing to discuss at the next COW. The AED have been taken care of with some new batteries for at least a year to get them back in service.
3. The floats at the Aquatic Center are in question.
4. Protocol of addressing issues was also questioned.

Ordinances for the next meeting;

1. Transferring funds for the pool operations.
2. Tethering of dogs.
3. Proper use of drones and unmanned aircraft.

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

## **COMMUNICATIONS**

None.

## **RESOLUTIONS AND ORDINANCES**

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to read this evening's Resolutions and Ordinances by title only. Motion passed 6-0.

Mr. Asbach – Clerk could we please have the second reading of Ordinance No. 23, 2018.

**ORDINANCE NO. 23, 2018. FIXING THE COMPENSATION AND BENEFITS FOR BOTH THE POLICE AND FIRE CHIEF OF THE VILLAGE OF ST. BERNARD AS OF JULY 26, 2018 AND DECLARING AN EMERGENCY.**

Motion by Mrs. Bedinghaus, seconded by Mr. Siefert to suspend with the third reading of Ordinance No. 23, 2018.

**REMARKS**

Mr. Togergte stated he spoke with other officers and they would have taken the test for police chief had they known the salary would be raised.

The motion to suspend failed 5-1. Mr. Tobergte voted no.

**ORDINANCE NO. 24, 2018. AUTHORIZING AND DIRECTING THE AUDITOR TO ADDITIONALLY MOVE APPROPRIATIONS AND DECLARING AN EMERGENCY.**

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to suspend with the second and third reading of Ordinance No. 24, 2018.

**REMARKS**

Mr. Tobergte thanked Paul Schildmeyer for finding the money to move to fund the appropriation.

Mr. Bob Culbertson expressed his concern and asked the Auditor if she was comfortable with the arrangement and she felt with the new information she received that this move would be okay at this point.

The motion to suspend passed 6-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to adopt Ordinance No. 24, 2018 as read. Motion passed 6-0.

**ORDINANCE NO. 25, 2018. AN ORDINANCE ADDING SECTIONS 505.22 AND 505.23 TO THE ST. BERNARD CODIFIED ORDINANCES TO UPDATE THE LAWS RELATING TO TETHERING DOGS AND DECLARING AN EMERGENCY**

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to suspend with the second and third reading of Ordinance No. 25, 2018. Motion passed 6-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Siefert to adopt Ordinance No. 25, 2018 as read. Motion passed 6-0.

**ORDINANCE NO. 26, 2018. AN ORDINANCE ADDING SECTION 521.15 TO THE ST. BERNARD CODIFIED ORDINANCES TO UPDATE THE LAWS**

## RELATING TO DRONES OR UNMANNED AIRCRAFT SYSTEMS AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Siefert to suspend with the second and third reading of Ordinance No. 26, 2018. Motion passed 6-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to adopt Ordinance No. 26, 2018 as read. Motion passed 6-0.

## OLD BUSINESS

Mr. Tobergte would like to be put on the COW agenda to discuss a line item for Special Funds at the end of the year to buy equipment for the Service, Fire and Police departments.

Mrs. Brickweg agreed to look into this idea.

Mr. Bob Culbertson asked about funds funneling through the Recreation Dept.

Mr. Tobergte explained the system that would be followed.

Mr. Bob Culbertson questioned whether the insurance we had would be adequate.

Mrs. Brickweg thought it was okay but would check on it.

Mayor Estep also helped explain how the account would be handled.

## NEW BUSINESS

Mr. Bob Culbertson discussed safety issues on Ross Ave. (cars going side by side and even jumping the curb). This will be looked into and what can be done to assure the safety of our residents.

Mr. Burkhardt had an unlawful discriminatory practice given to him and would like to put this into the Laws, Contracts and Claims Committee to be discussed.

Mrs. Brickweg sorted out how the process proposed by Dr. Chastain could be handled. Dr Chastain agreed.

Mr. Stuchell would like to have a planning meeting with Mr. Siefert to discuss the initial steps of the Luau planning, sponsors and other aspects of the event to divvy out responsibility so more than one person can work on the planning of the event.

Mr. Siefert agreed.

## AUDIENENCE WISHING TO ADDESS COUNCIL

1. Appreciated the work on the Cleveland properties and informed Council that the property on Park Pl. will not be returned to the Village from the Port Authority until 2020. Mr. Stuchell explained that when this property is returned to the Village it would have to be used for public use for six months. He also said that the property is very popular and as soon as the Village gets it back Mr. Bob Culbertson will announce the process that will be offered.
2. Fr. Fred Link, St. Clement Pastor, thanked the Village and all the residents for allowing the closure of Church St. during the roof replacement process of the Church. What was supposed to be a two month replacement process turned into a ten month project. He extended gratitude from the entire parish community for the Village's understanding and cooperation and for the many ways the Village helps our Churches within the Village.

Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to excuse the absent member. Motion passed 6-0.

Mr. Asbach – The next COW meeting will be Thursday, August 23 at 7:00pm.

Motion by Mr. Bob Culbertson, seconded by Mr. Burkhardt to adjourn. Motion passed 6-0.