

## ST. BERNARD VILLAGE COUNCIL MEETING

**JULY 23, 2020**

The regular meeting of the St. Bernard Village Council was held on Thursday, July 23, 2020 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 five members were present: Mr. Tobergte, Mr. Schildmeyer, Mr. Bob Culbertson, Ms. Miller and Ms. Hausfeld. Mr. Ray Culbertson and Mrs. Bedinghaus were absent.

Mr. Tobergte made a motion to dispense with the reading of the minutes. Ms. Hausfeld seconded the motion. Council agreed 5-0.

### REPORTS OF VILLAGE OFFICIALS

MAYOR, Mr. Stuchell – I would like to ask that we have a moment of silence for a dedicated resident and Veteran, Charlie Powell, who died July 16. May he rest in peace!

This week I had the honor of presenting my first Mayoral Proclamation declaring Tuesday, July 21 as Super Ben Day in St. Bernard. I would like to read it to you all.

#### MAYORAL PROCLAMATION

WHEREAS It is one of the responsibilities of the Mayor of the Village of St. Bernard to recognize occasions of outstanding significance; and

WHEREAS the Village of St. Bernard is proud to have a true superhero among its own

WHEREAS Ben Messer, aka “Super Ben” was born June 28, 2015 to Keith and Tiffany Messer, was the twin brother of Luke and big brother of Alexander

WHEREAS on July 21, 2015, Ben traded in his superhero cape for his angel wings

WHEREAS Super Ben may be gone from this earth, but he continues to accomplish so much

WHEREAS his biggest endeavor was raising \$50,000.00 for Cincinnati Children's Hospital and that was accomplished by hosting the following events; Save a Heart St. B Fitness Day & Zumbathon, Ben Strong Nights at Wiedemann Brewery, Home is Where the Heart Is, Cuts for the Cause, Halloween Event at I Am Coffee, Trunk or Treat at Bear Paddle Swim School, Fretboard Brewing Company's Pints & Poses Event, Buffalo Wings & Rings Dine to Donate Nights, Birthday Fundraisers, Giving events, and recurring monthly donations

WHEREAS the Ben Strong Blood Drive which began in 2017 has been able to provide lifesaving blood products' for over 535 people in Greater Cincinnati

WHEREAS the Ben Strong Toy/Book Drive that has been held every year since 2015, donates toys, books and gift cards to patients in the Cardiac Units at Cincinnati Children's Hospital

WHEREAS since 2015, more than 2,200 Ben Strong T-shirts have been purchased, loved, and proudly worn to destinations around the world

WHEREAS Super Ben has blessed so many people with his loving spirit and will live on in the hearts of those in this community

NOW THEREFORE, DO I Jonathan L. Stuchell, Mayor of the Village of St. Bernard, Ohio, proclaim

JULY 21, 2020 TO BE  
SUPER BEN DAY

In the Village of St. Bernard, Ohio

Signed this 21st day of July, 2020  
Jonathan L. Stuchell, Mayor

If you are not able to make it to the Ben Strong Blood Drive this Friday, please consider donating in his name at Hoxworth. Let's help Ben to continue helping others.

We are currently researching and getting estimates for body cams and replacing our twelve-year-old in car video for the Police Department. We will be coming back to you with our estimates on that. That is a very important part of what we need to do today as far as policing.

The Police Department is looking at more effective ways to alert our residents at emergency situations other than Call Command and Facebook.

I am currently asking residents to be more vigilant, especially after dark due to occurrences where we have armed robberies with one that involved a kidnapping, forcing an individual to go to an ATM. Please be vigilant and report any suspicious activity.

AUDITOR, Mrs. Brickweg – The Auditor’s Office prepared Resolution 7, 2020 for tonight’s meeting. This Resolution is required to be passed by Council before Hamilton County can distribute funds from the Coronavirus Aid, Relief and Economic Security Act to St. Bernard.

I would like to remind the residents that St. Bernard has the renewal of the current 7 mill operating levy on the August 4th ballot. This levy will bring in \$538,250.00 per year to the Village. This operating levy is a big part of the property taxes that the Village receives. Without this levy the Village will only receive 3.68 inside mileage, approximately \$330,000.00 in property tax revenue. This is a renewal levy so resident’s taxes will not increase. The estimated annual cost to the homeowner is \$194.04 per \$100,000.00 of the market value. This operating levy helps provide for the excellent services from our Police, Fire, Service and Recreation Departments. I encourage all the residents to vote yes for the 7 mill tax levy on August 4th.

DIRECTOR OF LAW, Mrs. VanValkenberg/Walden - I'm working with the Chief of Police in responding to some document requests and I'm continuing to work with Laws, Contracts and Claims Committee on non-discrimination legislation.

TREASURER, Mr. Ungruhe – No report.

SAFETY/SERVICE DIRECTOR, Mr. Paul – 8-A-2 Safety Building Maintenance will need an appropriation. There is \$932.49 left in the line item and the other air conditioner compressor went bad. This one costs \$6,737.00. So far this year we have spent close to \$15,000.00 on the building. My suggestion is to put another \$15,000.00 into the line.

Heidi, Cheryl, Gerry Stoker and I had a meeting with Impact. This is the program that calculates our building fees and permits. Our system has to be brought up to date to function with the new fees. The meeting went well, and we will soon be up and running.

All that’s left for McClelland Ave project in the painting. Sort of painless don’t you think. I am hoping that there will be enough left over in this line item to cover some, if not all, of the basin repairs.

The floor in the fitness center is moving along smoothly. I have had a fresh coat of paint put on the walls. I think by the first week of August the fitness center will be fit to get fit. It is rather a big job. Oh! I didn't mean for you to get fit but the floor of course.

#### To My Community

I am sensing that I have four dogs on leashes. Their names are Anger, Hate, Love and Angel. They are mine and each are loved in their own way. Anger and Hate are indifferent. They can take or leave the affection. Love likes an easy leash and always comes back happy as though he or she hasn't seen me in days. Angel is the snuggler, never leaving my side. We cross paths with a pack of dogs. Immediately the fur rises on Anger and Hate's neck. Their teeth are bared and a forced rumble is emitted deep from their chests. My hand goes white knuckled on their leashes. Angel signals, give Love the leash. Love's ears pop to attention, tail wags, tongue hangs out and he goes forth and returns happy as usual. Angel nudges my leg to instill the thought, I am glad Love is with us. I scratch each behind the ear along with a pat and think, me too.

TAX COMMISSIONER/ADMINISTRATOR, Ms. Helmes – I have an update from the Tax Department. The Federal deadline to file your 2019 St. Bernard tax return was July 15. All late returns are subject to a \$25.00 fee. This will escalate \$25.00 each month your tax return is late up to a maximum of \$150.00. This is a State mandated late fee so please do not call the Mayor to ask him to waive the fee. Due to the government moving the tax due date to July 15 we will not be sending out 2020 second quarter estimated bills. We will be able to send out the third quarter bills in October. Some people may have both second and third quarter amounts due at this time. As always if you have any questions, please give me a call at 242-7710.

#### **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Tobergte – The Village received \$23,586.51 from the garbage fee program for May. This brings the total for the first five months of this year to \$123,700.78.

I would like to thank Don and Lilly Middendorf for holding a collection day for Matthew 25 Ministries Disaster Relief last Saturday.

Also, a big thank you to our Village's first and only female firefighter, Christine Pasley for her ten years of service to our Village in the Fire Department. Good luck in your future endeavors and I know you will enjoy your time with your neighbors.

SAFETY, Mr. Ray Culbertson – (read by Mr. Schildmeyer) The Fire Department monthly report for June, 2020 is as follows: Fire Incidents; there were 9 structure

fires, 5 other fires, 2 vehicle fires, 4 auto accidents, 4 hazmat incidents, 7 service calls, 8 fire alarms, 7 EMS Assists. Mutual Aid Given; 7 to Norwood, 1 to Elmwood Place, 1 to Little Miami, 1 to Reading, 1 to Springfield Twp. No Mutual Aid was received. EMS Incidents; 70 Transports, 30 Non-Transports. Mutual Aid Given; 23 to Elmwood Place, 1 to Norwood, 1 to Reading, 1 to Cincinnati. Details of interest; 3 non-breathers, 2 unconscious, 7 auto accidents. Mutual Aid Received; 1 from Lockland.

SERVICE, Mr. Schildmeyer – No report

PUBLIC IMPROVEMENTS, Mr. Bob Culbertson – The CIC met this past Monday. Just to remind the residents to check the CIC website as we have two empty lots available. 41 Baker and 307 Bank. We also have a property out there at 4913 Andrew. Again, check the website and you can submit your application directly to the Village.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – Absent. Mayor Stuchell reported that Tuesday the 28<sup>th</sup> the Laws, Contracts and Claims Committee will meet at 6:00pm in Centennial Hall continuing discussion on the anti-discriminations ordinance.

MARKETING, Ms. Miller – The Ben Strong Giveback blood drive is scheduled for Friday, July 24<sup>th</sup> -1pm to 7pm at the St. Bernard Municipal Building. You can schedule an appointment by calling 451-0910 or by visiting [hoxworth.org](http://hoxworth.org)

BUSINESS AND INDUSTRY, Ms. Hausfeld – I have the Building & Zoning Department 2020 June Activities report.

Building activities: 6 residential permits, 1 commercial permit.

Total fees for residential permits: \$4,049.55

Total fees for commercial permits; \$354.89

Amount paid back to the Treasurer, State of Ohio (Residential) \$10.50

Amount paid back to the Treasurer, State of Ohio (Commercial) \$10.65.

Mrs. Kathman – The Committee of the Whole report has been submitted to Council and the Administration and reads as follows:

Committee of the Whole  
July 9, 2020

Roll call showed all members were present: Mr. Tobergte, Mr. Ray Culbertson, Mr. Schildmeyer, Mr. Bob Culbertson, Mrs. Bedinghaus, Ms. Miller, and Ms. Hausfeld.

Motion by Mrs. Bedinghaus, seconded by Ms. Hausfeld to approve the written minutes of the June 25, 2020 Council meeting. Motion passed 7-0.

Mayor, Mr. Stuchell – I would like to start by thanking Lauren Clements, Reginae Johnson, Sajah Woods and Jake Armentrout for organizing Line the Vine, A Peaceful Rally because Black Lives Do Matter which was held this Tuesday. This was indeed a peaceful event which I am glad that I attended and I appreciate all of the respectful participation.

As you all have probably seen the news report of a young lady who was fatally struck while walking on I-75 in the early hours of June 27, this was a painful video that I watched shortly after I was contacted by Lt. Matheson who informed me that there was pedestrian killed in a hit and run. I can't imagine what this family from Tennessee is going through but I can assure you that our police department in cooperation with the Cincinnati Police Department is doing everything possible to review video with the hopes that they will be able to identify the driver who continued on while Megan Smith who had just turned 23 years of age hours before laying along side of the road. I could not believe what I saw and the amount of time that passed from her getting hit and not a single person stopping to a final call that was to report what was thought to be a body on the side of the road. I am praying for this family that they will get answers. I want to thank our Police Department for all of their hard work on this case and I know how difficult it has been for them.

Yesterday evening, Governor DeWine's mask requirement went into effect for 7 counties, Hamilton, Butler, Montgomery, Franklin, Huron, Cuyahoga and Trumbull. You are required to wear a mask while inside of a business, municipal structure, while utilizing public transportation, and while outside where you're not able to maintain a six foot distance from others. This requirement will stay in effect until we drop below the red level 3 but unfortunately we are running closer to Purple Alert level 4. the enforcement portion of this is currently being reviewed by the Hamilton County Health Department but I am asking for everyone's cooperation. Currently, St. Bernard has had 25 confirmed cases with one death which has increased from the previous 12 at our last Council meeting.

Lastly, the German Luau Committee met this week and it was decided that we must forgo this years' event due to the current situation with COVID-19. We hope to come back bigger and better next year but we will still have merchandise available for the year that the Luau didn't happen. Our package offer of a bucket

and t-shirt will be made available shortly for pre-order once the artwork is done. I will give you a hint that our little German man might be wearing a mask.

Auditor, Mrs. Brickweg – The Auditor’s Office provided the end of June 2020 revenue, expense and cash fund spreadsheets to Council and the Administration. At the end of June, the revenues are up \$243,366.48 and the expenses are down \$404,647.03 compared to last year.

The Auditor’s Office prepared Resolution No. 7, 2020. This Resolution is required to be passed by Council before Hamilton County can distribute funds from the Coronavirus Aid, Relief and Economic Security Act to St. Bernard.

Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to put Resolution No. 7, 2020 on the table for the Council meeting on July 23, 2020. Motion passed 7-0.

Law Director, Mrs. VanValkenberg/Walden - Yesterday, I met with members of the Laws, Contracts and Claims Committee and the public to continue discussions on a non-discrimination ordinance. A number of concepts were discussed. We will meet again in approximately three weeks after we’ve had a chance to think about the things we discussed last night and after I’ve had a chance to review some of the decisions issued yesterday by the Supreme Court.

Treasurer, Mr. Ungruhe = This evening I have the statement from First State Bank for the Fourth of July Memorial Fund that we have with them. At the end of July the balance in our account was \$5,654.39.

Safety/Service, Mr. Paul – Ordinance No. 13, 2020, I would like to be placed on the table. This is for an easement for Duke on 4200 Vine St. They need a gas line to go out to East Mitchell Ave. This is the easiest route as it is grass and dirt. We have multiple basin collapses and sink holes throughout the Village. Scenic and Greenlee, 109 Church St (which by the way, someone took a saw to the curb next to the basin and did not report it). Sink holes at McClelland Ave. (it was not MSD’s even though it was right next to a sewer lid). I am still waiting the results for Spring Grove Ave by Smucker’s. As of today, all piping is in good repair when looking at the camera results. So, we do not know yet why the road is collapsing. I will keep you posted.

You may have noticed that McClelland Ave project is almost complete. I have ordered that the road remain closed over the weekend due to the extreme heat. It needs more time to setup. Tower will be open but McClelland will be closed. 05-MP-9 Streets and Sewers may need some help in the near future because of all this so, I'll keep you posted on all that too.

Motion by :Mr. Tobergte, seconded by Ms. Hausfeld to put Ordinance No. 13, 2020 on the table. Motion passed 7-0.

Tax Commissioner/Administrator, Ms. Helmes – I have a few items for Council this evening.

1. Monthly report for June 2020

a. Tax Collections for June: \$677,591

b. Tax refunds for June: -\$13352.50

c. The Village is down -5.55% from June of 2019

d. Due to the 7/15 extension, only 40% of taxpayers have filed their 2019 return.

e. Total 2020 YTD collections are \$4,652,192; the Village is up 9.5% from 2019.

2. ORDINANCE 12, 2020 TO BE PLACED ON THE TABLE- Language revision to Chapter §182- tax code. There is language that needs to be updated, clarified, and adopted into our Municipal tax code, so we are in compliance with the State of Ohio and aligned with other Ohio Municipalities.

3. There are two recent vacancies on the Tax Review Board. Mr. Scott Weber and Mr. Daniel Lee have both expressed interest in serving on the board. Mr. Joe Kempe contacted me and will be continuing his roll on the board. So, we may have the three members we need. I submitted the code section with the rules of the Tax Board to everyone's e-mail. Let me know if you have any questions. Upon final commitment and appointment, all three members will need to be sworn in.

4. ORDINANCE 11, 2020 TO BE PLACED ON THE TABLE- I am also coming to Council tonight to request funding to line item 2-E-6 for Judgment work for the Village. This is the next step to take when there is no compliance with the collection agency. This line item would pay for the Attorney services and court costs in the pursuit of judgements/liens/garnishments for unpaid Municipal Income Tax. Our current outstanding tax obligations are \$205,803, of that amount, only \$30,719 is currently being paid upon with our collection agency. St. Bernard tax code section §182.10(G) allows for the municipality to impose on the taxpayer the post-judgement collection costs and fees, including some Attorney fees. The Attorney will pursue the garnishment/liens, his cost is 20% of the recovered amounts.



I want to thank Valerie, Peggy and Heidi for all of their assistance this month.

Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to place Ordinance No. 11 and 12, 2020 on the table. Motion passed 7-0.

Safety, Mr. Ray Culbertson – I would like to thank Mrs. Bedinghaus, Mrs. Miller, Mayor Stuchell, Safety/Service Director, Tom Paul, Police Chief Simos and all the residents that attended last night's Safety Committee meeting. The purpose of this meeting was to discuss the traffic/speeding concerns on Ross Ave. between Broerman Ave. and Chalet Dr. Several options were discussed. At this time, we are going to make the lane closest to the cemetery a parking only lane to eliminate passing. There will also be increased radar patrol and possibly a speed trailer. I have the Police report for June, 2020. There were 45 parking complaints, 5 vehicle tampering's, 1 stolen vehicle, 23 traffic warnings, 9 traffic violations, 2 curfew violations, 1 DUI offense and 19 calls for suspicious vehicles or people. Mayor's Court update for June, 2020; Total to the Village in June \$7,139.00 which brings a year to date total \$37,544.48.

Service, Mr. Schildmeyer – I have the Service Department Report for June, 2020. 40 trucks placed at residences, 35 dumpsters placed at residences, 419 special pick-ups at residences and 216.95 tons of garbage taken to the landfill. For recycling: 34.44 tons of recycling material, 146 pounds of scrap aluminum, 84 pounds of brass, 1 pound of copper and 7,750 pounds of scrap metal. The only other thing I wanted to add is obviously the numbers have been higher for the Service Department. Through COVID a lot of people are off and working on their homes so, I just ask all the residents to have a little bit of patience. It takes a little bit longer but it will be picked up.

Public Improvements, Mr. Bob Culbertson –The next CIC meeting will be (inaudible)

Mr. Tobergte – Pointed out that notices on the poles along Vine St. are prohibited. Mr. Paul agreed.

Laws, Contracts and Claims, Mrs. Bedinghaus – The Laws, Contracts and Claims Committee met last evening, July 8, to discuss the Antidiscrimination Ordinance. The content part of the Ordinance has one section that will be reviewed by the Law Director and she will bring back her recommendations. The other part of the Ordinance that the Committee will focus on at the next meeting will be the creation of the Human Rights Commission. The membership and their roles and

responsibilities as well as consequences for violation of the Ordinance. The next meeting will be Tuesday, July 28 at 6:00pm in Centennial Hall.

Marketing, Ms. Miller – Just a friendly reminder that tomorrow is the SAY soccer deadline. Please sign up at city hall between 9am and 5pm

Also, there is another order going in for Frank Robinson Field memorial bricks. You can purchase bricks at City Hall anytime Monday thru Friday between 9am - 5pm for \$100/brick

The virtual fresh market was a huge success. They will be hosting another virtual market at the end of the month.. more info to come on that event

Lastly, St. Bernard-Ludlow Grove Historical Society is interested in the wonderful mail-order “Sears Homes”, which were built from 1908-1940. They are developing a program to explore this fascinating part of Americana, especially here in St. Bernard.

If you have one of these treasures, or if you know of one, please contact them @ [historystbernard@gmail.com](mailto:historystbernard@gmail.com)

Audience Participation:

None.

Resolutions and Ordinances for the next Council meeting:

Resolution No. 7, 2020, The usage of CARE Act Funds

Ordinance No. 11, 2020, Additional Appropriations

Ordinance No. 12, 2020, Amending Title 9 tax code

Ordinance No. 13, 2020, Duke Energy Easement at the Safety Center.

The next Council meeting will be Thursday, July 23, 2020 at 7:00pm.

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

Respectfully submitted,

Sue Kathman  
Clerk of Council

## **COMMUNICATIONS**

None.

## **RESOLUTIONS AND ORDINANCES**

RESOLUTION NO. 7, 2020. RESOLUTION AUTHORIZING THAT THE VILLAGE OF ST. BERNARD WILL CONFIRM COMPLIANCE WITH THE FEDERAL GOVERNMENT GUIDELINES FOR HOW THE DISTRIBUTION OF CARE ACT FUNDS WILL BE USED AND DECLARING AN EMERGENCY.

Motion by Mr. Tobergte, seconded by Mr. Bob Culbertson to have Resolution No 7, 2020 take its regular course. Motion passed 5-0.

ORDINANCE NO. 11, 2020. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion by Mr. Tobergte, seconded by Mr. Bob Culbertson to have Ordinance No. 11, 2020 take its regular course. Motion passed 5-0.

ORDINANCE NO. 12, 2020. ORDINANCE AMENDING – TITLE NINE – CHAPTER 181 OF THE ST. BERNARD CODIFIED ORDINANCES, THE ST. BERNARD MUNICIPAL INCOME TAX CODE, AND DECLARING AN EMERGENCY.

Moton by Mr. Tobergte, seconded by Mr. Bob Culbertson to have Ordinance No. 12, 2020 take its regular course. Motion passed 5-0.

ORDINANCE NO. 13, 2020. AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO DUKE ENERGY ON VILLAGE OF ST. BERNARD-OWNED REAL PROPERTY PARCEL NUMBER 582-0013-0178-00 KNOWN AS THE ST. BERNARD SAFETY CENTER AT 4200 VINE STREET FOR THE PURPOSE OF ENABLING DUKE TO PERFORM NECESSARY WORK FOR NATURAL GAS TRANSPORTATION; AND DECLARING AN EMERGENCY.

Motion by Mr. Tobergte, seconded by Mr. Bob Culbertson to have Ordinance No. 13, 2020 take its regular course. Motion passed 5-0.

## **OLD BUSINESS**

Motion by Mr. Tobergte, seconded by Mr. Bob Culbertson to have a Special Council meeting on Thursday, July 30 at 7:00pm in Council Chambers to pass Resolution No. 7, 2020 and Ordinances 11, 12, 13, and 14, 2020.

The Auditor requested Ordinance No. 14, 2020 for some additional transfers and appropriations which would be explained by the Fire Chief plus the money needed for the Safety Center and the \$5,000.00 needed for the Auditor transfer.

The motion passed 5-0 after the explanation by the Fire Chief.

Ms. Hausfeld expressed her feelings on a Special Council meeting.

## **NEW BUSINESS**

An inquirer about the rental program was brought up and it has been looked into and being revised.

Tower Park swings need maintenance.

## **AUDIENCE WISHING TO ADDRESS COUNCIL**

A request from the Fire Chief to transfer \$20,000.00 from Paramedic and Firefighter training to Firefighter to back fill his position.

Motion by Mr. Bob Culbertson, seconded by Mr. Schildmeyer to add Ordinance No. 14, 2020 to the table for the Special Council meeting on July 30, 2020. Motion passed 5-0.

Mr. Asbach – The Special Council meeting will be July 30, 2020 at 7:00pm. to pass Resolution No. 7, 2020 and Ordinances No. 11, 12, 13, and 14, 2020. The next COW meeting will be Thursday, August 13, 2020 at 7:00pm.

Motion by Mr. Tobergte, seconded by Mr. Bob Culbertson to excuse the absent members. Motion passed 5-0.

Motion by Mr. Tobergte, seconded by Mr. Bob Culbertson to adjourn. Motion passed 5-0.

