

**ST. BERNARD VILLAGE COUNCIL MEETING  
SEPTEMBER 24, 2020**

The regular meeting of the St. Bernard Village Council was held Thursday, September 24, 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 all members were present: Mr. Tobergte, Mr. Ray Culbertson, Mr. Schildmeyer, Mr. Bob Culbertson, Mrs. Bedinghaus, Mrs. Miller and Ms. Hausfeld.

Mrs. Bedinghaus made a motion to dispense with the reading of the minutes. Ms. Hausfeld seconded the motion. Council agreed 7-0.

**REPORTS OF VILLAGE OFFICIALS**

MAYOR, Mr. Stuchell – I would like to start with a moment of silence as we remember two special individuals on the anniversary of their deaths.

Bill Tempel, who was a Lt. For the St. Bernard Police Dept. who died September 24, 2017 and Curtis Walden, Law Director and former President of Council who died September 24, 2015. Valerie will not be here tonight as she is with her daughters.

As you have probably heard, Governor DeWine has made the decision to put the responsibility on the local municipalities as to whether trick-or-treat happens or not. I do not have any desire to take anything away from our kids and have every intention to allow for it to happen with some minor modifications. To allow for those who are participating to be more visible and to properly distance themselves, trick-or-treat will be held on Saturday, October 31 from 4:30 to 6:30pm. Further details on best practices will be announced for this event.

I would like to be put on the agenda for the COW meeting to discuss Franklin Park property, body-cams and in-car video for the Police Department, and allow for a brief presentation on the potential addition of a K-9 unit for the PD.

AUDITOR, Mrs. Brickweg – The Auditor’s Office prepared Resolution 9, 2020. This resolution approves the amounts and tax rates determined by the Budget Commission. This is the second step the 2021 projected budget required by the county.

The Auditor's Office prepared Ordinance 21, 2020 which creates a new position of Finance Assistant and fixes the compensation of the position. This new position will take the place of the Tax Clerk and the Deputy Auditor. This is the start of combining the Finance Departments. It will save the Village over \$39,000.00 a year.

The Auditor's Office also prepared Ordinance 22, 2020. This Ordinance creates two new line items:

01-2-B-3 Finance Assistant

20-01 CRF Corona 19 CARE

It also decreases multiple line items that total to \$70,321.70.

It has additional appropriations to:

01-2-B-3 Finance Assistant \$18,000.00

01-2-I-9 Professional Services \$50,000.00

01-6-A-13 Police Equipment Outlay \$10,000.00

01-58-7R Ross Park \$52,000.00

20-01 CRF Corona 19 CARE \$201,687.80

The legal professional services increase is needed to cover additional legal services in regard to the billboard on West Ross. The Police Equipment Outlay is appropriating revenue the Village received in July to help cover switching the Police Record Management System. The Ross Park appropriation, which is covered by the decreases and sponsorship revenue the Village brought in will be used to pay for needed fencing and nets and upkeep of the field. The Corona 19 is appropriating money the Village received from Hamilton County in regard to the Corona 19 Virus.

DIRECTOR OF LAW, Mrs. VanValkenberg/Walden - Absent.

TREASURER, Mr. Ungruhe – No report.

SAFETY/SERVICE DIRECTOR, Mr. Paul – The blower shutdown test for the Bank Avenue monitoring is continuing through November. The weekly monitoring will continue as we have had a spike in readings on two monitors. One of these two monitors have receded to normal levels and the other is at 8% needing to be 5% or

lower. We have contacted EPA and they suggest we continue with the shutdown because the spikes have subsided. SCS Engineering has made me aware of this and has also alerted me that this will incur more expenses. I will keep you posted. The worst-case scenario is an \$11,000.00 additional expense.

I have two estimates on the stairs at Ross. \$65,000.00 plus \$14,000 for rails. Second would be for 7ft. Stairs, single center rail at \$68,277.00. I will contact the first bidder for identical labor and materials.

To my community:

When it's our time, we enter into this world and onto our very own path. It is our life's walkway. We do have free will to allow us to venture off our avenue.

However, life is a challenge, you will find yourself feeling much better on the fairway free of obstacles. Seek what you know to be true in your heart, for there peace will enlighten your ways.

TAX COMMISSIONER/ADMINISTRATOR, Ms. Helmes – 1. Receipts for August 2020

- a. Tax collections for August were: \$620,007.22
  - b. Tax refunds for August were: -\$9,496.25
  - c. The Village is down -23.01% in revenue from August of 2019
  - d. YTD tax collection is up 8.46%
  - e. \$62,408.10 in delinquent tax is with Capital Recovery
  - f. \$96,127.21 in delinquent tax is being pursued for Judgement and garnishment collection work.
2. 2020 3rd quarter statements were mailed this week. A letter was enclosed with everyone's bill to try and make sense of this crazy tax year.
- a. Due to the Federal Govt moving the tax due date to 7/15, it was impossible for the tax office to send a 2nd quarter statement out.
  - b. 3rd quarter statements may look higher than usual and may include the 1st and 2nd quarter amounts. Do not panic and stay calm. I will work with you. Call me if you have any questions or need assistance.
  - c. Taxpayers who owed more than \$200 in tax for the 2019 tax year received a quarterly statement for 2020. Quarterly payments are required by law to be paid throughout the tax year, if you wait until April 15th to pay, you could be subject to

hefty penalties pursuant to State law. Again, call me if you have questions regarding this.

3. Due to the passage of Issue 7 earlier this year, Cincinnati's tax rate decreases to 1.8% beginning October 2, 2020. St. Bernard's tax rate will remain at 2.1%. Residents who pay Cincinnati withholding tax will still get credit with St. Bernard, it will just be at 1.8%. Those people will now owe St. Bernard the .3% difference when they file their Village tax return.

1. 4. Work from Home Emergency Provisions remain in effect for thirty days after Ohio Governor ends the State of Emergency. Withholding is required as if remote employees were working in their principal place of business. There will be no refunds from the Village.

I know taxes can be confusing and they are not fun, and this year has been stressful and trying for everyone...including me. Your tax dollars are vital to operate the Village and make your community safe and clean. This is your community, and it is my job to collect the money needed to provide these services to you. My door is always open and please feel free to call me before you get upset. St. Bernard's residents are what make this community great! Take care everyone!!!!

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Tobergte – The Village received \$24,769.16 from the garbage fee program for August. This brings the total for the first 8 months of this year to \$197,349.41.

SAFETY, Mr. Ray Culbertson – I have the Fire Department report for August 2020. There was a total of 54 fire incidents. 7 structure fires, 12 auto accidents, 3 hazmat incidents and 16 EMS assists. Mutual aid was given 3 times to Norwood, 6 times to Elmwood Place and 1 time to Cincinnati. Mutual aid was received: 3 times from Elmwood, 3 times from Little Miami, 3 from Lockland, 1 from Cincinnati, 1 from Springfield Twp., 2 from Wyoming and 1 from Reading. EMS was a total of 112 incidents. In the month of August there were 1 non-breathers, 12 unconscious, 12 auto accidents and 3 overdoses. Mutual aid given to Elmwood Place 28 times, Norwood 2 times and Cincinnati 1 time. We received mutual aid from Norwood 1, Cincinnati 1, and Lockland 1.

SERVICE, Mr. Schildmeyer – No report.

PUBLIC IMPROVEMENTS, Mr. Bob Culbertson – No report.

LAWS, CONTRACTS AND CLAIMS, Mrs Bedinghaus – The Laws, Contracts and Claims Committee will be meeting this Wednesday, September 30 at 6:00pm down in the lower level of Municipal Hall. This is to hopefully finalize the anti-discrimination ordinance and hopefully we will get it to everybody for Council for COW this session.

MARKETING, Mrs. Miller – Our community has some great fall events happening and really, it is something to look forward to amidst this COVID crisis Pack 354 Boy Scouts and Cub Scouts are recruiting scouts in Kindergarten and up to join our crew. You can contact me for more details. My cell phone number is 513- 289- 2920

St. Bernard Elementary will be hosting a trunk or treat on Saturday October 17th at Vine St Park from 4pm to 5:30PM. This event is hosted by the Titan Fan Club. This event will require mask and social distancing.

Lastly just another reminder we have spaces for the St. Bernard Halloween Campout! Contact recreation at 513 -383 -0408 to claim your spot.

BUSINESS AND INDUSTRY, Ms. Hausfeld – Building & Zoning Department  
2020 August Activities Report: 9 residential permits, 3 commercial permits.

Total fees for residential permits: \$1,280.72

Total fees for commercial permits: \$ 949.09

Amount paid back to the Treasurer, State of Ohio  
(residential) \$12.84

Amount paid back to the Treasurer, State of Ohio  
(commercial) \$28.47

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

Committee of the Whole  
September 10, 2020

Council had a moment of silence for Mr. Paul (Dutch) Schildmeyer, former Council member and father of our Recreation Director, Paul Schildmeyer.

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

Motion by Mrs. Bedinghaus, seconded by Ms. Hausfeld to approve the written minutes of the August 27, 2020 Council meeting.

Mayor, Mr. Stuchell – Mr. Stuchell introduced Meredith Hughes, Real Estate Attorney and secretary of the CIC, to explain the procedure to transfer the Long John Silver and old Firehouse properties to the CIC.

Ordinance No. 17 will vacate a portion of Clay St.

Ordinance No. 18 will consolidate the two properties.

Ordinance No. 19 will dedicate a portion of Ross and Vine Sts. as rights of way. So, the Village will maintain the sidewalks and streets.

Ordinance No. 20 will authorize the transfer of the property, less the dedicated portions, to the CIC if all requirements of Ordinances No. 17, 18 and 19 are satisfied.

The two triangles of land sitting in the middle of I-75 will be transferred to ODOT.

Motion by Mrs. Bedinghaus, seconded by Mr. Schildmeyer to put Ordinances No. 17, 18, 19 and 20 on the table for the next Council meeting. Motion passed 7-0.

The Laws, Contracts and Claims committee was requested to develop an ordinance regulating the Airbnb in the Village. These properties are becoming an alarming concern as some properties have been advertised as sleeping sixteen and the Fire Marshall would categorize that the same as a hotel. This request will be undertaken by the Committee with the help of the Law Director.

The possibility of establishing a “Citizens on Patrol” was given to Mr. Ray Culbertson to do the research and see if this could even possibly compliment “Block Watch”.

An Ordinance allowing the full-time position of Finance Assistant be created to allow the employee to assist in both the Auditor and Tax Department. This Ordinance will outline a three-step compensation program. Council has been provided his job description. The eventual goal would be to let this position be contractual so that the employee could maintain his job even under a different Administration as with other positions at City Hall to be consolidated.

Motion by Mr. Schildmeyer, seconded by Mrs. Bedinghaus to place Ordinance No. 21, 2020 on the table for the next Council meeting. Motion passed 7-0.

The buffer behind Franklin Park came into question. There has become a liability issue because the swings extend over the residents’ property, not the Village’s. It appears this strip of property belongs to the Park because of where the fence is

located, but it does not. The Mayor will get with the homeowner and bring back how we need to proceed

The Mayor also asked to go into Executive Session to discuss collective bargaining.

Motion by Mr. Tobergte, seconded by Ms. Hausfeld to go into Executive Session to discuss collective bargaining. Motion passed 7-0.

Auditor, Mrs. Brickweg – I provided Council and the Administration with the revenue and expense report. As of the end of August we have brought in revenue of \$7,265,567.36. The revenues currently are under \$593,634.77 but we need to take into consideration, because of the COVID pushing the property taxes due date we have not received the one we should have received in August.

The expenses for August was \$7,930,178.64. So, currently the expenses as compared to last year are under \$606,366.54.

I also placed tonight in Council's mailboxes Resolution No. 9, 2020. I just received word today that our tax rates have been approved, the only problem is I couldn't receive it today and it will go out in hard mail tomorrow. They need this voted on by October 19, so, the October Council meeting is October 22 so, I'd like to ask you to please place this on the agenda and when I get attachment A and B I will give those to you. This is basically, they approve our summer budget and our summer rates that we presented to them.

Motion by Mr. Tobergte, seconded by Ms. Hausfeld to put Resolution No. 9, 2020 on the table for the next Council meeting. Motion passed 7-0.

Next on the agenda is Ordinance No. 22, 2020. I'd like to ask the Recreation Director, Mr. Paul Schildmeyer to explain the issues at Ross Park. In the meantime, I will tell you the two other additional appropriations, \$50,000.00 for professional services, that is for the billboard lawsuit and in response that had to be created for the CRF Corona 19 CARE and to this day we have received \$201,687.80. They required us to put it into a fund and we need to have it encumbered by October 15. Otherwise we have to give the money back. So, that's why I'm asking you to please encumber it. The money is in the checking account but we need to appropriate it so we can spend it.

Mr. Schildmeyer explained the need for overhead netting because of the close proximity of residential homes and streets. All upgrades will provide safety measures that are needed. Other monies will be used for reseeding the outfield and also new soccer goals.

The steps connecting upper and lower Ross Park are in disrepair and Mr. Paul will get an amount to fix this to Council so it can be included in this Ordinance. If not, an additional Ordinance will be drafted.

Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to put Ordinance No. 22, 2020 on the table for the next Council meeting. Motion passed 7-0.

Treasurer, Mr. Ungruhe – I have a statement from First State Bank for the balance of our Fourth of July fund we have. The balance as of 8/31/2020 is \$5,655.05.

Safety/Service Director, Mr. Paul – The northwest side of Vine Street curbs will be repaired next week, there will be a handicap access put on to the curb at Bank and Andrew and the curb in front of City Hall will be repaired.

Finance, Mr. Tobergte – Complemented the Mayor for the upgrade on the shopping center parking lot.

Safety, Mr. Ray Culbertson – I have the Police Report for August; there were 13 hit skip accidents, 13 noise complaints, 51 parking complaints, 38 traffic violations, 59 traffic warnings, 7 vehicle tampering's (all unlocked), 29 suspicious people or vehicles.

Lastly, I would like to send out my condolences to the Schildmeyer and Schaefer families on their loss.

Service, Mr. Schildmeyer – I have the Service Department for August, 2020. There were 40 trucks placed at residences, 22 dumpsters placed at residences, 601 special pick-ups at residences, 191.67 tons of garbage taken to the landfill. We had 34.69 tons of recycling material and 18,640 pounds of scrap metal.

In additional to that I have a storm sewer report; the Village repaired 2 sewers, 6 sewers were repaired by outside contractors, and complete upgrade and repair to St. Bernard Elmwood Place school system. 90 sewers cleaned by the Village with 297 cubic yards of debris removed. The Village leaf truck operated from 4 November till 27 December collecting 589 cubic yards of leaves. The street sweeper removed 317 cubic yards of debris. 320 tons of salt were spread by road crews to improve winter road conditions. 275 gallons of used oil were recycled to local businesses for use as fuel oil. 250 pounds of fertilizer spread between March and October.

Public Improvement, Mr. Bob Culbertson – The CIC will be meeting Tuesday, at 6:00pm in Centennial Hall. We will be discussing the Ordinances that we talked about tonight as well as St. Bernard Square.

Laws, Contracts and Claims, Mrs. Bedinghaus – the Committee met again last evening, 9/9, and again thanks to Chris and Ray and Valerie and the Mayor, along

with a couple of outside guests, Nicole being one of them, just to review and revise the anti-discrimination Ordinance we have hopefully one more meeting and we will get it solidified. That meeting will be held on September 30 at 6:00pm in Centennial Hall.

Marketing, Mrs. Miller – I have some more details for the Halloween Campout. This year's campout will take place on Friday, October 9 and Saturday October 10 at Lower Ross. Activities will again include Halloween costume contest, trick or treating, movies, fire pit and more. Campsites will be approximately 36x36 with a limited number of spots available in the parking lot for campers and or RVs. No electric or water hook up will be available. Campers will be responsible for their own set up, clean up, food and drinks. Residents can reserve their campsites by emailing [recreation@cityofstbernard.org](mailto:recreation@cityofstbernard.org) or call (513) 641-3137. Reservation fees are again \$10.00 per campsite which will be collected at a later date once we resume our regular office hours.

Audience Participation;

None.

Council went into Executive Session to discuss collective bargaining.

Council returned.

Motion by Mr. Tobergte, seconded by Ms. Hausfeld to place Ordinance No. 23, 2020 on the table for the next Council meeting.

Resolutions and Ordinances for the September 24 Council meeting.

Resolution No. 9, 2020, accepting our tax rates.

Ordinance No. 17, 2020, vacating property at Clay St.

Ordinance No. 18, 2020, consolidating the two lots.

Ordinance No. 19, 2020, dedicating property on Vine and Ross

Ordinance No. 20, 2020, transferring the property at Clay St. to the CIC.

Ordinance No. 21, 2020, allowing a new position for a Finance assistant

Ordinance No. 22, 2020, additional appropriations

Ordinance No. 23, 2020, Service Department contract.

Motion by Mr. Bob Culbertson, seconded by Mr. Ray Culbertson to adjourn.

Motion passed 7-0.

Respectfully submitted,

Sue Kathman, Clerk

## **COMMUNICATIONS**

None.

## **RESOLUTIONS AND ORDINANCES**

**RESOLUTION NO. 9, 2020. RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to suspend with the second and third reading of Resolution No. 9, 2020. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to adopt Resolution No. 9, 2020 as read. Motion passed 7-0.

**ORDINANCE NO. 17, 2020. AN ORDINANCE APPROVING THE VACATION OF A PORTION OF CLAY STREET PURSUANT TO R.C. 723.05 AND DECLARING AN EMERGENCY.**

Motion by Mrs. Bedinghaus, seconded by Mr. Bob Culbertson to suspend with the second and third reading of Ordinance No. 17, 2020. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson to adopt Ordinance No. 17, 2020 as read. Motion passed 7-0.

**ORDINANCE NO. 18, 2020. AN ORDINANCE AUTHORIZING THE VILLAGE OF ST. BERNARD TO CONSOLIDATE PARCELS 582-0005-0093, 582-0005-0066, 582-0005-0079, 582-005-0067, 582-0005-0068 AND A VACATED PORTION OF CLAY STREET AND DECLARING AN EMERGENCY.**

Motion by Mrs. Bedinghaus, seconded by Mr. Bob Culbertson to suspend with the second and third reading of Ordinance No. 18, 2020. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Bob Culbertson to adopt Ordinance No. 18, 2020 as read. Motion passed 7-0.

ORDINANCE NO. 19, 2020. AN ORDINANCE APPROVING THE DEDICATION OF A PORTION OF ROSS AVENUE AND VINE STREET PURSUANT TO R.C. 723.03 AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Bob Culbertson to suspend with the second and third reading of Ordinance No. 19, 2020. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Bob Culbertson; to adopt Ordinance No. 19, 2020 as read. Motion passed 7-0.

ORDINANCE NO. 20, 2020. AN ORDINANCE AUTHORIZING THE VILLAGE OF ST. BERNARD TO CONVEY THE PROPERTY LOCATED AT THE INTERSECTION OF ROSS AND VINE (SEE EXHIBIT A), TO THE ST. BERNARD COMMUNITY IMPROVEMENT CORPORATION PURSUANT TO ARTICLE 111 SECTION 1 OF THE AGREEMENT AND PLAN BETWEEN THE VILLAGE OF ST. BERNARD, OHIO AND THE ST. BERNARD COMMUNITY IMPROVEMENT CORPORATION AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Bob Culbertson to suspend with the second and third reading of Ordinance No. 20, 2020.

## **REMARKS**

Suggestions were made for use of properties in the future to be considered if different Administrations had other uses for certain property.

The motion to suspend passed 6-1. Mr. Tobergte voted no.

Motion by Mrs. Bedinghaus, seconded by Mr. Bob Culbertson to adopt Ordinance No. 20, 2020 as read. Motion passed 6-1 Mr. Tobergte voted no..

ORDINANCE NO. 21, 2020. CREATING THE POSITION OF FINANCE ASSISTANT AND FIXING THE RATE OF COMPENSATION FOR THIS POSITION STARTING AUGUST 1, 2020 AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Schildmeyer to suspend with the second and third reading of Ordinance No. 21, 2020.

**REMARKS**

A request for this Ordinance to go regular course.  
More discussion about this position eliminating other positions and creating a new position. The position would include combining the responsibilities from two departments and give this position a chance to be realized as a viable experience to secure a knowledgeable person to fill the need from both departments. This Ordinance is recommended from the Auditor and the Tax Commissioner/Administrator.  
The function of City Hall was again explained to reduce the number of employees to make the Village run more efficiently.  
The contract extended to this position is considered in good standing.

The motion to suspend passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Schildmeyer to adopt Ordinance No. 21, 2020 as read. Motion passed 7-0.

**ORDINANCE NO. 22, 2020. AUTHORIZING AND DIRECTING THE AUDITOR TO CREATE A NEW LINE ITEM AND DECREASE CERTAIN APPROPRIATIONS AND PROVIDE ADDITIONAL APPROPRIATIONS AND DECLARING AN EMERGENCY.**

Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson to suspend with the second and third reading of Ordinance No. 22, 2020.

**REMARKS**

Monies received were questioned and explained

The motion to suspend passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson to adopt Ordinance No. 22, 2020 as read. Motion passed 7-0.

**ORDINANCE NO. 23, 2020. ACCEPTING AND APPROVING THE TERMS OF EMPLOYMENT MADE BY AND BETWEEN THE VILLAGE OF ST.**

**BERNARD AND ST. BERNARD SERVICE DEPARTMENT ASSOCIATION  
AND DECLARING AN EMERGENCY.**

Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson to suspend with the second and third reading of Ordinance No. 23, 2020.

**REMARKS**

This Ordinance gives the Service Department a three-year contract with longevity and step dates and has been approved.

The motion so suspend passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Schildmeyer to adopt Ordinance No. 23, 2020 as read. Motion passed 7-0.

**OLD BUSINESS**

None.

**NEW BUSINESS**

The dance program has been cancelled and if there is a question about refunds the Recreation Director will explain this in a Call Command.

Speeding is a worry on the tract between Franklin Ave and Church St and a request for more of a police presence is asked.

**AUDIENCE WISHING TO ADDRESS COUNCIL**

None.

Mr. Asbach – The next COW meeting will be Thursday, October 8 at 7:00pm.

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