

**ST. BERNARD CITY COUNCIL MEETING  
APRIL 6, 2006**

The regular meeting of the St. Bernard City Council was held Thursday, April 06, 2006 in Council Chambers

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

Roll call showed that all members were present: Mrs. Howell, Mr. Asbach, Mr. Wilson, Mr. Burkhardt, Mrs. Brickweg, Mr. Meier and Mr. Zix.

Mr. Burkhardt made a motion to dispense with the reading of the minutes. Mr. Wiklson seconded the motion. Motion passed 7-0.

**REPORTS OF CITY OFFICIALS**

MAYOR, Mr. Estep – The first topic is concerning the Library meeting: Joe, Gerry and I had an initial meeting with Kim Fender on March 14 to discuss the status of the new library. Ms Fender explained that the intension to build the new facility is still there as well as the money, however, the operational funds for the facility are lacking. She asked us to try to hold on until there is a change in leadership at the state level and hopefully the project can move forward. I explained to her that we are under some pressure from the community to determine the level of commitment to the project and a timeline for the project. A timeline is not available at this time. The next meeting of the Library Board is scheduled for 4/11 at 9 a.m. at the Main Branch – I have asked Joe and Gerry to attend this meeting to stay abreast of Library discussions. In addition, I would like to be added to the next COW agenda to discuss this topic to determine what directions citizens and Council want to take concerning the Library Property.

Community Safe/Call Command – We continue to receive positive feedback from citizens on the instant alert messaging system, Call Command. Most recently it was used to inform citizens of the heavy smoke coming from the Cognis' towers. The feedback I personally received is that we have been creative in our endeavors to keep information flowing. Currently, I am trying to find a sponsor for this program within the business community, however, if this does not occur, we will need to access our financial commitment to the project. I did speak with one of the people from Cognis today and they're going to take it to some of the people over there, including the plant manager, as our trial period ends in June.

Soccer Field Dedication - On Saturday, May 13, 2006, at 1:00P.M. a ceremony will take place at the soccer field in Ludlow Grove Park to dedicate it as the ***Michael Daniel Weidner Memorial Soccer Field*** in honor of a young member of our community that passed away. Michael Daniel Weidner was well loved by many of us. All citizens are invited to attend the ceremony in support of the Weidner Family and to honor Michael's memory.

In addition, the family has invited attendees to a grill-out at Ross Park immediately following the field's dedication ceremony. The Weidner

family will provide hot dogs and soda. It would be greatly appreciated if attendees would consider bringing a covered dish or some other food item to complete the menu for the after-ceremony picnic. The after-ceremony picnic is being coordinated by Suzie Johnson. I believe we have No. 2 and 3 on the far side as there shelters to provide enough room for everybody. Both the Weidners have told me that they plan on having a lot of people, a lot of family members attend. If you can't attend and want to send something, you may drop it off at Ross Park Shelter #3 between noon and 1:00P.M. Please use a disposable container if you can't attend to avoid loss or damage of your favorite pan.

We look forward to seeing you on May 13, 2006, when we honor the memory of Michael Weidner.

On a little more positive note, the Easter Egg Hunt – The City of St. Bernard's Annual Easter Egg Hunt is scheduled for Sat. April 15. The Bunny can be seen around town that morning with treats for the kids, so keep an eye open for this special visitor to our town. The egg hunt begins at 2:00 PM at Vine Street Park. The Bunny has a photo-opt at Vine Street Park at 1:15PM so parents bring your cameras to snap a photo of your child with the bunny. The egg hunt will begin promptly at 2PM, so don't be late!

Pool News – Opening day for the pool is May 27<sup>th</sup>, - we will be implementing a photo ID system at the pool this year. Each person that purchases an individual or family pass will be photographed and the photo ID must be shown upon entering. It has been challenging to find the numbers of lifeguards we need to operate the pool. Red Cross indicated they are having a difficult time filling their roster as well. To fill the openings we have contacted some guards that worked last year but did not reapply and thanks to Joe we placed an ad in the local newspaper to attract applicants which we believe should be successful.

Codified Ordinances On-Line – Codified Ordinances should be on-line by April 17. After the install is complete you may turn in your old books so they can be updated and maintained in City hall according to the procedure that was written.

On Tuesday April 11, we have a new appointee to the Civil Service Commission. Mr. Terry Berhle will be sworn in at 7:00P.M. as a new appointee on the Civil Service Commission.

April 5<sup>th</sup>, 47 third graders, and this is one of the best times we have in here, Scouts nights and the visitors from the Elementary students. They toured City Hall and we had plenty of our people who work up here on hand to tell a little bit how the mechanics of the government up here take place, what some of their duties are as far as their job description. They did a nice job inviting them in, Glenna had goody bags for all of them, they really enjoyed it. I was impressed with their interest in the City and would like to compliment them on their good behavior that day, also, kudos to Marge Niesen for her work on the history tour.

AUDITOR, Mr. St. Clair – The March Auditor's report is prepared for tonight's meeting. The receipts report and the report showing year-to-date

revenue and expenses by fund are derived from the Auditor's report, and they are given to Council and the Administration.

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|---|-----------------|
| Payroll for the Month of March: (3 Pay Periods)   | \$ 511,430.01   |
| Payroll year to Date:                             | 1,362,064.41    |
| Other expenditures for the month of March:        | \$ 391,742.47   |
| Other expenditures as of March 31 <sup>st</sup> : | 866,435.96      |
| Total expenditures through the end of March:      | \$ 2,228,500.37 |

Before Council tonight is Ordinance Number 9, 2006 as amended. This Ordinance gives 5% raises to certain full-time and permanent part-time employees and 3% raises to other part-time and seasonal employees. For those of you who have a copy of the Ordinance, the amendments are in bold print.

DIRECTOR OF LAW, Mr. Geiser – First of all, in behalf of my father Ed Geiser and the rest of the Geiser family, we want to thank Paramedics Dave Holt and Jay Hausfeld and Patrolman Charlie Barnes for the professionalism and care in attending to my mother in an emergency situation last week. It's unique and comforting that in the time of need the individuals are not simply Paramedics and Policemen, but they are your friends and neighbors. We thank them and it really makes a difference, again, thanks to the Fire Dept., the Police Dept. for their help in this situation.

On a note from last week, we brought up the incident, Mr. Kempe brought up about the individual who located a news rack, not a news rack, but the flyers that they put in the boxes around town, I had an unpleasant phone call today from that same individual that Joe had to deal with and I can agree with Joe, it is not a pleasant experience dealing with this individual. It was very upsetting. Be that as it may, it is what we deal with, if Council want to do so, we need to act quickly, we have no legislation on the books that I know of, I couldn't find anything. Council need to think of what they want to do, the individual gave me a Supreme Court case, it involves the U.S. Supreme Court, involving the City of Cincinnati. What the City of Cincinnati did, they put a law on the books saying, newspaper stands can stay but everything else is banned. The Supreme Court says, you can't do that. It is either a total ban or you have to make a time and place legislation that doesn't legislate against one and not the other. One option would be to completely ban everything from the City, the other would be to put together regulations and legislation that's unique that would get at the goals that you want. One could be the litter problem, Joe explained that we have. Council want to act fast and it's very time consuming to put this legislation together, I started working on this over the weekend, you can easily burn 10 to 15 hours quickly in a couple of days trying to put something together in researching but I would like to put this on the agenda next Thursday and ask Council to think about what they want to do, if anything, because this isn't going to go away, we need to deal with it quickly.

TREASURER, Mr. Kathman – The Treasurer's report is as follows:

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|----------------------------------|---------------|
| Receipts for the month of March: | \$ 829,285.17 |
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Receipts for the year through March 31<sup>st</sup>: \$ 2,743,092.71

SAFETY DIRECTOR, Mr. Stuchell – The St. Bernard Fire Dept. Monthly Report for March 2006.

78 Life Squad Runs, 8 Fire Runs, 1 Motor Vehicle Accident, 2 Service Calls, 2 Life Safety Evaluations.

The City of St. Bernard has purchased a Fire Safety House from the Surrey Company in Napoleon, Ohio. This mobile training facility was purchased with a grant awarded by the Department of Homeland Security and there is an expected delivery date of late August. We should be ready to use it for Fire Prevention Week in October where we focus on the children in St. Bernard. This piece of equipment will also be utilized by our senior citizens to train them in proper evacuation procedures.

Also, I need Chief Scherpenberg to be put on next weeks COW schedule to discuss and update the fire code where he was unable to be here at the last meeting.

SERVICE DIRECTOR, Mr. Kempe – I would like to be on the agenda for the next COW meeting to discuss two items: 1. Passing an Ordinance accepting the bid for the Beech St. Improvement Project: 2. To discuss passing a Resolution to approve or disapprove the Hamilton County Solid Waste Management District Plan for 2006 – 2021. All Council and Administrative members should have received, in their mailboxes, letters and a pamphlet explaining the Plan.

TAX COMMISSIONER, Mrs. Williams – No report.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Zix – No report.

SAFETY, Mr. Burkhardt – No report.

SERVICE, Mr. Meier – I would like to report that I recently toured the ICRC facilities, since I'll be the representative from the City. Their quarterly meeting will be coming up on the 20<sup>th</sup> of April. I was surprised to have quite a few services that are available to people in the City and I think we should take the opportunity to take advantage of some of those as different events come through in the City.

PUBLIC IMPROVEMENTS, Mr. Asbach – There were 421 visitors to the City Website in the month of March. I would like to announce the Committee meeting next Thursday, April 13, at 6:30p.m., downstairs, to further discuss the residential tax abatements and we also received an email this week and I talked to Mr. Weidman, there is a new residential code for the State of Ohio that goes into effect on or after May 27<sup>th</sup> of this year. He told me that they will be looking to it, and after I looked at it, this is already in Laws, Contracts and Claims but they will be looking at that as that comes up.

LAWS, CONTRACTS & CLAIMS, Mrs. Howell – No report.

BUSINESS & INDUSTRY, Mr. Wilson – We recommend passage of Ordinance 9.

HIGHWAY & TRANSPORTATION, Mrs. Brickweg – I received an email yesterday from the Ohio-Kentucky-Indiana Regional Council of Governments regarding Surface Transportation Program and Congestions mitigation and Air Quality applications for FY 08-11 Funding. I took some time to read the goals, objectives, process and instructions for applying for the funds. It appears these funds could be used to purchase Dial-A-Ride Buses. Since we budget for replacement buses and repairs I was thinking if we received these funds to purchase buses then we could use the budgeted money to increase the Dial-A-Ride hours of operation and possibly bring back the Medical Bus. The City would have to match the funds with 20% of the project price, but we would still be saving 80%. If a new bus cost \$50,000, the City would pay \$10,000 and that would leave us \$40,000 in the budget to provide additional services. These funds are awarded by a subcommittee which uses a project scoring process. There are 26 factors that are scored on. Some of these include level of service, service improvements, such as a new bus allowing a City to increase hours, days and area, and ridership impact. These applications are due in by April 14<sup>th</sup>. I have made copies of all the materials that need to be completed and will give Joe Kempe them tonight. They look pretty straight forward so I am hoping we can get them completed and sent in on time. I will also provide Joe with a contact name and phone number in case he has any questions or concerns.

Mr. Burkhardt – The Committee of the Whole Report has been submitted to the Clerk.

**Committee of the Whole  
March 30, 2006**

1. Council approved the minutes of the March 16<sup>th</sup> Council meeting. 7-0.
2. Mr. Lee Ward and Mr. Frank Raeon addressed Council to discuss some of their ideas for the Vine St. Corridor. Council voted 7-0 to turn these ideas over to the CIC.
3. Mayor, John Estep
  - A. John informed Co9uncil that they are talking to the Red Cross about the possibility of moving their offices to St. Bernard.
  - B. John also informed Council that Cognis was impressed with the call command that informed the residents about the smoke that was put out by Cognis.
4. Auditor, Walter St. Clair, no report.
5. Director of Law, Edward Geiser
  - A. Ed asked for executive session for pending lawsuit.
6. Safety Director, Jonathan Stuchell, no report.

7. Service Director, Joe Kempe

A. Joe informed Council that the bids were opened on the Beech Street Project. The board of controls will have their recommendation at the next COW.

B. Council voted 7-0 to go out for bids for a new garbage packer.

C. Joe informed Council that there are some problems with the placement of news racks around the City. Council will look into regulations for these racks.

8. Tax Commissioner, Sheri Williams, absent.

9. Laws, Contracts, & Claims, Patty Howell, no report.

10. Public Improvements, Steve Asbach, no report.

11. Business & Industry, Glenn Wilson, no report.

12. Safety, Bill Burkhardt, no report.

13. Highways & Transportation, Peggy Brickweg

A. Peggy informed Council that she is still working on the Clean-up St. Bernard Day. It will be April 22<sup>nd</sup> with the rainout day to be April 29<sup>th</sup>.

14. Service, Kevin Meier

A. Kevin reported on Metro Access for seniors and he also reported on the CIC and that the CIC will be looking into the Vine St. Development.

15. Finance, Greg Zix

A. After some discussion on raises for the non-contractual full time employees, Council voted 6-1 to put an ord. on the table to give 5% raises to this group. Mr. Zix voted no.

16. Council voted 7-0 to go into executive session to discuss pending litigation and the purchase of property. After executive session, Council voted 6-1 to give Mr. Wiedman the authority to purchase property. Mr. Zix voted no.

Respectfully submitted,  
Bill Burkhardt  
President of Council, Pro-Tem

**COMMUNICATIONS - None**

**RESOLUTIONS AND ORDINANCES**

Motion by Mr. Burkhardt, seconded by Mr. Wilson to read tonight's Ordinances by title only. Motion passed 7-0.

Motion by Mr. Burkhardt, seconded by Mrs. Brickweg to take Ordinance No. 9, 2006 off the table.

## **REMARKS**

Mrs. Brickweg – I will be voting for Ordinance No. 9, 2006 tonight in hope we can start working on the betterment of our City. This Ordinance has been discussed over and over, while other City issues have fallen behind. I am hopeful we learned a lesson and will look for a better solution, such as having a City Manger who would employ and manage all non-contractual employees and give raises on merit. I also hope the finance committee will start working on the health care benefits on the non-contractual employees, as they have promised in the past to do. It has been said that we are working to reduce City costs, yet we easily can do this by having the non-contractual employees pay co-pays with their health insurance, but we ignore this idea.

Mr. Asbach – I will be voting for suspension but will be voting against the Ordinance. Last week I had agreed to go with the 5% increase for Sections 1, 2, and 3 of the full time people, other sections were added and that is why I am opposed to it but I will be voting for suspension this has gone on long enough and needs to be passed tonight.

Mr. Zix – I will be voting against this amended Ordinance. I feel 3% increase is fair and decent wage increase. I realize this group of employees has not had an increase in the last two years due to the fact that we were trying to conserve our budget. I do appreciate the sacrifices they made. I still think the City is in a financial crisis as it was last year. We must continue to keep a close eye on our spending. I feel a 3% increase is within our budgetary guidelines. I feel we must stay within this path.

The motion to take Ordinance No. 9, 2006 as amended of the table passed 6-1. Mr. Zix voted no.

**AMMENDED ORDINANCE NO. 9, 2006. FIXING THE COMPENSATION OF FULL-TIME AND PART-TIME EMPLOYEES OF THE CITY OF ST. BERNARD HIRED PRIOR TO 1/1/2005 FOR THE YEARE 2006 COMPENSATION, AND DECLARING AN EMERGENCY.**

Motion by Mr. Burkhardt, seconded by Mrs. Howell to suspend with the second and third reading of Ordinance No. 9, 2006.

## **REMARKS**

Mrs. Brickweg – I'm sorry, I just have one question, something I didn't see before. The Housing Secretary for the Planning & Development Dept. , can I ask who that is? There isn't one? Is there a reason that we have it in here?

Mr. Burkhardt – I believe it is in case they ever decide to hire that person. At this point they have not decided to hire that person.

The motion to suspend the second and third reading passed 6-1. Mr. Zix voting no.

Motion by Mr. Burkhardt, seconded by Mr. Wilson to adopt Ordinance No. 9, 2006 as amended. Motion passed 5-2. Mr. Asbach and Mr. Zix voting no.

### **OLD BUSINESS**

Mrs. Brickweg – I attended the Cognis CAP meeting on Monday March 27<sup>th</sup>. During the meeting one of the plant mangers explained the smoke most witnessed on march 23<sup>rd</sup>. Cognis recently purchased a temporary boiler system, which is much better for the environment. There are new laws coming into effect over the next few years so they are starting to get ready for them. This boiler was to start working a few months back, but one the last day for anyone to appeal the boiler, apparently it was appealed. Cognis had a meeting on March 26<sup>th</sup> to get approval. I tried to contact the plant manager today but did not hear back to hear whether it passed or not. I will let everybody know. The one reason they wanted to use this boiler was because a few tubes that run up the smoke stack, which fill with hot water were old and had very small leaks. On March 23<sup>rd</sup> one of the tubes burst. What happened is the water went down the stack and poured on the coal below. The system kept pushing in more coal because the temperatures were not hot enough. When the problem was noticed it was immediately shut down but the coal/water situation had to work itself out and that is what the smoke was that the people saw. At the meeting they were very impressed when I reported how our phone system delivered messages to the residents and the guest speaker that was from Homeland Security was very impressed that we are using that system. They may even be interested in helping pay for some of the system.

### **NEW BUSINESS**

Mrs. Brickweg – I would like to take this time to thank St. Bernard resident, Michele Stegman for introducing Mr. Lee Ward of McGill, Smith and Punchun, Inc. and Mr. Frank Raeon from the Planning Development Solutions to our City. They gave a very informative and exciting presentation at last weeks' COW meeting regarding the redevelopment of Vine St. Michele had attended the town meeting and realized that she could help our City with redevelopment of Vine St. and marketing our City. She works in this field of marketing, has many contacts that can aid us. It's amazing how many residents we have that are willing to help our City move forward and I wanted to acknowledge Michele for taking a lead and introducing these professionals to us. Thanks again Michele.

### **AUDIENCE WISHING TO ADDRESS COUNCIL**

Mr. Burkhardt = The next COW will be Thursday, April 13, at 7:30p.m.

Motion by Mr. Zix, seconded by Mr. Wilson to adjourn. Motion passed 7-0.