

**ST. BERNARD VILLAGE COUNCIL MEETING  
JULY 2, 2013**

The regular meeting of the St. Bernard Village Council was held Tuesday, July 2, 2013 in Council Chambers.

Mr. Peck – Before we start the meeting I would like to have a moment of silence for the firefighters in Arizona.

A Public Hearing for the 2014 tax budget for St. Bernard to be sent to Hamilton County was held.

Motion by Mr. Meier, seconded by Mrs. Schildmeyer to approve the estimated tax budget as proposed. Motion passed 6-1. Mr. Tobergte voted no.

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

Roll call showed that all members were present: Mr. Tobergte, Mr. Meier, Mr. Holt, Mr. Asbach, Mrs. Schildmeyer, Mr. Culbertson and Mrs. Bedinghaus.

Mr. Asbach made a motion to dispense with the reading of the minutes. Mrs. Schildmeyer seconded the motion. Council agreed 7-0.

**REPORTS OF VILLAGE OFFICIALS**

MAYOR, Mr. Burkhardt – The Mayor’s Monthly Court Report Receipts for June, 2013: Mayor’s Court Costs/Fines/Fees Miscellaneous receipts were \$2,565.68, Bond Forfeiture \$66.00, Bond applied to outstanding tax obligation \$475.00, total to St. Bernard is \$3,106.68. Total to the County was \$21.00. Total to State was \$911.00. Total Disbursements were \$4,038.68.

The St. Bernard 4<sup>th</sup> of July Family Festival and Rozzi Fireworks will be held on Thursday, July 4<sup>th</sup> from 5:00pm until 10:00pm at Ross park. Food, games, rides and the band “After Midnight” will be on tap for the event. Please remember that coolers are not permitted in the park.

AUDITOR, Mrs. Brickweg – I just want to say two more things on the budget before I forget. I’m going to be preparing a document for Hamilton County and I know Council is out on recess but I’ll send everybody an email and if it’s okay I’ll probably put it in possibly my mail box, if you could just come in and sign where you need to sign in the next week or two. I hope to start preparing that on Monday. I also want to explain, just to future explain, whoever is watching the meeting, this is a projected budget. In the past, what the Council always did is they put in fake numbers on what the actual expenses were going to be to make them balance. I was just given the budget last Thursday night. I stayed until 10:00pm working on it. I actually talked to Bill and I talked to Ed and you’ll see Ed’s numbers are even looking better and instead of doing what we’ve always done in the past, we do have very realistic expenses, but as it gets closer to the end of the year, if our numbers don’t column up, we might have to lower some of them. But it is more realistic on the expenses. So, on this one we just changed the projected

revenue a little bit to make it balance. I just wanted to explain that and that's what I've been saying all along and hopefully in the future I'll get this budget a couple of weeks ahead of time instead of just a few days before and not tonight but I did my best to work on it. That's all it is and like Kevin had said before, the Dept. Heads need to start looking at it and looking at their budget and I know Ed and I will have a more, a better feeling on our numbers come the fall also. I just wanted to better explain that and if that's a problem with Council coming and signing that piece of paper please let me know and I don't know if any, I'll work around that.

DIRECTOR OF LAW, Mr. Walden – I wanted to bring to Council's attention the newsletter from the Ohio Municipal League this week. We were, I know both Ed and I had talked to Council about the attempt of certain members of the Ohio House had made to fast track that House Bill 5 without allowing anybody to go up and testify against it. I know that Bill sent a letter, it was read last week. I sent a letter and I'm sure that other people did. That has now paid off. The attempt to fast track the Bill is off and the Ohio Municipal League states: "we want to thank the large number of municipalities who shared these concerns and contacted their legislators, sharing with them the need to not rush this process established by the House, Ways and Means Committee Chairman and that more time is needed to improve the Bill before it can be considered for votes. I want to thank everyone who wrote a letter, they did do the trick and it will now go its regular course and there will be time for people who are opposed to it to go up and testify about that". The other thing, I know we've been interested in what has been going on in the community next door to us here with these cameras. I guess we should thank Steve Moeller after the other community signed up for these cameras, they immediately came here to ask him to consider their proposal and he quickly showed them the Village line and asked them to not cross it. The House has now reacted following Judge Ruehlman's recent ruling to pass a bill where they are specifically outlawing municipalities from using red lights, and speed devices. That still has to go through the Ohio Senate but given the margin it passed the Ohio House, I don't think those will be allowed in any municipality here and in Ohio soon so we're glad we did not get involved in that. Finally tonight, Council had asked me to look into ways of accessing the legal books that we need on the internet rather than paying for new ones each time. I did talk to Westlaw, because we do have some commentary to his product that they provide. I received it today, a way to access the Ohio Rules of Court, 80% cheaper on the internet than by getting the new books each week, so I'm going to follow up on that and I'll continue to follow up on ways to lower the prices as the need for the new law develops but we will not need to have new books every time it changes.

TREASURER, Mr. Ungruhe – No report.

SAFETY DIRECTOR, Ms. Van Valkenburg – As you're probably aware, in the past week or so we've had several break-ins here in town. I wanted to let you know that the Police Dept. is working very hard. They've treated all these situations and locations as crime scenes. They have dusted for prints, they have collected evidence, including blood evidence in one location. We're looking to try to get some DNA evidence. In one of the instances, following the break-in, car keys were taken and a car was stolen. It was recovered in Winton Terrace. We have in one location some stolen credit cards. The police are working with a couple of vendors where apparently the credit cards were subsequently used including one of the gas stations down at Mitchell and Vine and also at the Wal-

Mart in Evendale. We're hoping to get some information about that. There is a way to help identify some of the perpetrators. Additionally there was an arrest. The Cincinnati Police Dept. District 4 recently arrested suspects in a break-in in their jurisdiction so we're coordinating with them to see if there are similarities with any of ours. It happened over different times, different days, so at this point it is really not known if it is the same group of people or its just different people taking advantage of situations but I understand that in one instance they entered through an unlocked door, in another instance through an open garage and one through an open window. We've had some cooler weather and there was an open window on the first floor and apparently that's how entry was made. People need to be aware of their surroundings. Make sure your doors are locked. Make sure your cars are locked because we're having thefts on cars as well. Continue, please, to keep calling the Police with anything you see. They've responded to a number of tips recently. Nothing has panned out but never the less you need to keep those coming in because we never know where that might lead.

SERVICE DIRECTOR, Mr. Stegman – Tonight Ordinance No. 27, 2013 is on the table for me to enter into a contract for Ross Ave. remodeling of our restrooms and improvements by Leo J. Brielmaier, Co. Also I put in your box that JMA, Jennifer Vatter, checked with the Hamilton County Community Development, they also reviewed all the bids and they accepted the lowest bidder so that's something to back up the documentation for the Ordinance. I ask for passage for that tonight. Also I just wanted to let everybody know that Sandy Endres retired this past Friday on 6/28/13. Sandy started back with us on 1/26/83. Sandy's worked with us for 30 years and 5 months and we wish her well and anytime you see her on the street thank her for her services, many years of services as a happy smiler on the bus and somebody that was very good at what she did. Just to pass it on to everybody to give her a "hey, hey" when you see her.

TAX COMMISSIONER, Mr. Geiser – I gave each member of Council a report showing the income from the Tax Dept. As you know we are half way through the fiscal year and I did the comparison on where we stand this year and previous years and the outlook for the future. We brought in \$4.8 million for the first half of this year. If you have any questions or comments let me know. I also want to reiterate, thank Mr. Walden for the statements he brought up about it, the update on House Bill 5. One of the things I reiterated last time was how important it was that it stay in the House, Ways & Means Committee, is the City, some of the cities got together and put together an alternate bill. They would have kind of bypassed that. If they had bypassed that, gone faster, that would not have been heard. That has got a chance to make some changes in the City's favor so that was very important and I want to thank you for bringing that up.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Meier – No report.

SAFETY, Mr. Asbach – I'd just like to thank the Safety Director and the Police Dept. for putting out the Call Command. I think the more people that are aware of the break-ins the better off we are. I was talking to the Police Chief the other night and just a couple of people had called, people had left and left garage doors open. The people across the street were aware of that and called them and they came up and closed them. I just think that when the public knows these things are going on, they're more aware of keeping an eye out for things and I think that's a better thing

for the whole Village. It's a safe Village, I don't want anybody to think that it's not but it never hurts to have an extra pair of eyes on places when these things are going on.

SERVICE, Mr. Holt – I have the Service Dept. report for June, 2013. There were 19 trucks, 27 dumpsters, 101 special pick-ups and 169.37 tons of garbage taken to the landfill. There were 22.42 tons of recycling material, 6.1 tons of cardboard and 3900 pounds of scrap metal all recycled.

PUBLIC IMPROVEMENTS, Mrs. Schildmeyer – My condolences go out to the family, friends and the St. Clement Community at the passing of Gerry Myers. I would also like to congratulate Mayor Burkhardt on his hard work at St. Bernard Commons and welcome the new residence home. The residents of St. Bernard Commons are very proud of their new home. Thank you for welcoming us and showing off your new home last week. I would also like to congratulate Sandy Endres on a job well done and enjoy your retirement.

LAWS, CONTRACTS AND CLAIMS, Mr. Culbertson – The Laws, Contracts and Claims Committee recommends passage of Ordinance No. 26, 2013 this evening. I'd like to thank once again, Curtis Walden and Police Chief Steve Moeller, for their work on this Ordinance.

BUSINESS AND INDUSTRY, Mrs. Bedinghaus – No report.

HIGHWAYS AND TRANSPORTATION, Mr. Tobergte – The two bikes that are in Council Chambers were donated by Target to be used as door prizes for the St. Bernard Bike Rodeo being held Saturday July 20<sup>th</sup> from 9:00am until 12:00noon. Ages 12 and under are encouraged to attend. St. Bernard Block Watch is also donating twenty \$25.00 Target gift cards that will also be raffled off during the Bike Rodeo. These gift cards can be used to purchase a helmet or bike lock. A big thank you to Officer Derek Setters for securing the donations from Target.

Mr. Asbach – The COW report has been submitted to the Clerk.

Committee of the Whole  
June 27, 2013

1. Council approved the minutes of the June 20<sup>th</sup> Council meeting.
2. Mr. Paul Myers apologized to Ms. Betty Rapp.
3. Mayor, Bill Burkhardt
  - A. Said that the ribbon cutting was today at the VOA St. Bernard Commons Senior Housing. The building is top notch and will be fully occupied by mid-July.
4. Auditor, Peggy Brickweg
  - A. Gave Council and the Department Heads a copy of the proposed 2014 budget.
  - B. Will the Department Heads to make sure their line items are good with Council being off for two weeks in July. If there is a need, there will be an Ordinance on the table to move funds.
5. Law Director, Curtis Walden
  - A. Met with the Police Chief and the Laws, Contracts & Claims Committee on some proposed changes to our Codified Ordinances.

6. Service Director, Phil Stegman
  - A. Asked Council for an Ordinance to go out for bids on the bathroom restorations at Ross Park, upper and lower. This will be paid for by a Community Block Grant. Council voted 7-0 to put the Ordinance on the table.
7. Tax Commissioner, Ed Geiser
  - A. Reported that he is still working on an Ordinance covering gambling winnings. He would like to complete the residential tax returns first.
8. Treasurer, John Ungrhue
  - A. Reported that the Fourth of July fund is \$5,612.72.

Laws, Contracts & Claims, Ray Culbertson

- A. Said that the Committee has voted to move forward with an Ordinance to amend and repeal various sections of our current Codified Ordinances. This will clean up language and make enforcement more practical for our Police Department. He thanked Police Chief Moeller and Law Director Curtis Walden for their work on this Ordinance. Council voted 7-0 to put an Ordinance on the table for the changes.
9. Highways & Transportation, Don Tobergte
  - A. Reminded everyone that because of the holiday next Thursday, Thursday's trash collection will be on Wednesday and Friday collection will be normal.

Respectfully submitted,  
 Steve Asbach  
 President of Council, Pro-Tem

## COMMUNICATIONS

Dear Bill,

On Sunday evening, June 23<sup>rd</sup>, my wife Elizabeth and I went out for a walk around town. We returned around 8:30pm. We were going up to our second floor, when Beth felt faint, and started to pass out. Her heart began to race and we could not get it to slow down. This has happened before and we were able to get it under control, but not this time. I no sooner got off the phone with 911, and I could hear the sirens heading our way. By the time I got to the bottom of our steps, and to the door, there were two Police cars pulling up to our house, and the Ambulance right behind them. I do not recall the Officers' names, but they were both very kind and understanding. Both Paramedics Holt and Hausfeld, went above and beyond helping getting my wife's heart slowed down. They both suggested that she go to the ER just to be on the safe side. We were at Christ Hospital for about two hours when the same Paramedics got another ER run to Christ. Beth's door in the ER was open, and as they were leaving they both stopped in to see how she was doing. They said the hospital monitor showed that her heart was back to its normal rhythm. They both told us as they were leaving, not to hesitate to call if we need them again.

I cannot begin to express my thanks to all that were involved. It is so nice to have such wonderful people taking care of us in St. Bernard. Bill, would you please express my gratitude to their Superiors? Both of the Paramedics, and Police Officers, are to be commended!

My sincere thanks to all, and may God bless.

Greg and Beth Witt.

Motion by Mr. Asbach, seconded by Mr. Meier to receive and file the communication and send a copy to the Police and Fire Depts. Motion passed 7-0.

## **RESOLUTIONS AND ORDINANCES**

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

Mr. Peck – Could we please have the second reading of Ordinance No. 25, 2013.

**ORDINANCE NO. 25, 2013. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND DECLARING AN EMERGENCY.**

Motion by Mr. Asbach, seconded by Mr. Meier to suspend with the third reading of Ordinance No. 25, 2013.

## **REMARKS**

Mr. Asbach – The reason for the motion to suspend was that at the last Council Meeting we did not have enough people to pass this.

The Motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Holt to adopt Ordinance No. 25, 2013 as read. Motion passed 7-0.

**ORDINANCE NO. 26, 2013. AMENDING OR REPEALING VARIOUS CHAPTERS AND SECTIONS OF THE ST. BERNARD CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.**

Motion by Mr. Asbach, seconded by Mr. Culbertson to suspend with the second and third reading of Ordinance No. 26, 2013. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to adopt Ordinance No. 26, 2013 as read. Motion passed 7-0.

**ORDINANCE NO. 27, 2013. AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH LEO J. BRIELMAIER, CO. FOR ROSS PARK RESTROOMS IMPROVEMENTS AND DECLARING AN EMERGENCY.**

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to suspend with the second and third reading of Ordinance No. 27, 2013. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Holt to adopt Ordinance No. 27, 2013 as read. Motion passed 7-0.

## **OLD BUSINESS**

Mr. Asbach – I forgot to mention this under the Safety Committee report but the next Block Watch Meeting will be Tuesday, July 16<sup>th</sup> at 6:30 downstairs.

## **NEW BUSINESS**

Mr. Walden – I just wanted to note for Council and the Public, first of all I wanted to thank you for passing Ordinance No. 26, 2013. This is actually the first Ordinance in a series we're hoping to do. Lieutenant Ungruhe has been working on this for about a year. The Police Chief has been working on it. The Laws, Contracts and Claims Committee has been working on it. It's an attempt to go through the Ordinances on our books. Repeal outdated Ordinances and amend other Ordinances that need to be brought up to date. I've already been in touch with the Police Chief about some more Ordinances he wants to look at and we're going to try to do this three or four times a year just to keep our laws up to date and make sure that everything is as it needs to be. I would like to thank everyone involved.

Mr. Tobergte – Curtis, Walter Drane does this same thing. Since we're doing it ourselves do we still have to do that?

Mr. Walden – What happens is, when we repeal and update these laws, those will be part of the next time that Walter Drane updates the laws and they will change the books to reflect those so it's sort of a step by step process.

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

Remarks from the audience were stricken from the minutes.

Mr. Asbach – The next COW meeting will be July 25<sup>th</sup> at 7:30pm.

Motion by Mr. Tobergte, seconded by Mr. Holt to adjourn. Motion passed 7-0.