

**ST. BERNARD VILLAGE COUNCIL MEETING
AUGUST 22, 2013**

The regular meeting of the St. Bernard Village Council was held Thursday, August 22, 2013 in Council Chambers.

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. Mr. Culbertson seconded the motion. Council agreed 7-0.

REPORTS OF VILLAGE OFFICIALS

MAYOR, Mr. Burkhardt – The Mayor’s Monthly Court Report Receipts for July, 2013: Mayor’s Court Costs/Fines/Fees/Miscellaneous receipts were \$2,473.85, Bond Forfeiture \$50.00, Restitution paid \$50.00; total to St. Bernard is \$2,573.85. Total to the County was \$25.50. Total to State was \$965.50. Total Disbursements were \$3,564.85.

We have officially been chosen to host the 2013 Slider Search Event on Saturday, October 5th on Tower Avenue. We are very excited to be partnered with Pilot Chemical on this event. It is actually, “Slider Search Event is an Olympic Luge Team. As soon as we have more details and sign up information a Call Command will go out and a web posting will be added.

Elaine is currently reviewing the fitness center survey results. I will have a report and decision on any change in operating hours at the next COW meeting.

The Health Committee met the first week of August. This week, Elaine provided the Committee representatives with the EnrollXcel information. This is the process in which each employee updates their medical information and then in turn, is used to obtain bids from insurance providers. We have a strict timeline for this process and Elaine will monitor the entire process.

The Safety Director and I have been working with the Police Representatives on their contract. I will provide copies for your review when available. Elaine is currently making the revisions.

Also, tomorrow night at the Vine St. Pavilion is the Police and Fire Steak Fry from 4:00 until 8:00pm. It would be nice if everybody could attend.

AUDITOR, Mrs. Brickweg – As requested at the COW the Auditor’s Office has prepared Ordinance No. 32, 2013. This Ordinance is authorizing the Auditor to provide Fund 2-E-3, Tax Refunds in the amount of \$50,000.00, 7-A-1A, Fireman Overtime, \$30,000.00, 7-A-2A Tuition and Training, \$2,500.00, 58-2A, Recreation Employees, \$5,000.00, No. 67, Employees Accumulated Sick Pay for \$28,000.00; (just to let the audience know), the main reason first of all not enough money was appropriated at the beginning of the year. I think what happened when the budget was prepared, they were probably looking at this with what the appropriations were the year before but did not further their scope further along. That was where in

2012 the swimming pool employees, the original appropriation was \$95,000.00 and then the additional appropriation of \$5,000.00 where in 2013 only \$10,000.00 was appropriated just to start off the year but there was not enough money in those line items and then if everybody recalls with the cost of living, not the cost of living, I'm sorry, none of that was even considered so that is why those line items are falling short. We're trying to line it up with our Recreation Employees and pretty much the swim team and the indoor pool. So they fill out a whole different time sheet now so it won't be good year until we get a clear thing on that. It's hard to get a good handle on the health care books. Nothing has changed in the health care but there is stuff going around that it's the same health care.

DIRECTOR OF LAW, Mr. Walden – I'm happy to report that the Village of St. Bernard has been dismissed from two lawsuits where we have been named as the defendant. One was a slip and fall where we were named as a defendant in case the fall occurred on a sidewalk that we owned. As it turned out the fall occurred on private property and St. Bernard has been dismissed from that case. I'd like to thank Phil for his help for supplying information to Counsel in that matter which allowed us to get out of that case. The second was a foreclosure action where we were named as a defendant in case St. Bernard had any interest in the property that was being foreclosed upon and that entire suit has been dismissed. The two pending suits that were out there are now both gone and we did not anticipate any problems.

TREASURER, Mr. Ungruhe – Absent.

SAFETY DIRECTOR, Ms. Van Valkenburg – Absent. (Mr. Walden) The Safety Director asked me to report that she had a dental surgery today and was not quite up to Council but that she will have a report for the next COW.

SERVICE DIRECTOR, Mr. Stegman – Tonight Ordinance No. 33, 2013 was put in front of you. The bid process for the Safety Center was put off from last week, it was presented on the 20th, Tuesday, we don't have a full review and a person sick, but what is in front of you tonight is for me to enter into a contract. Six out of the eleven bids were under the \$7 million dollar threshold that said in the Ordinance so I asked for Council to pass that so once we go through the review process we could do that instead of having another special meeting next week. Hopefully we can get that passed.

Also, two weeks ago when we had the COW Joe Lengerich brought up some things that I was hoping to bring up at the Council Meeting and I didn't have the facts and figures. I do want to commend the Service Dept. sitting down with me and the Administration to come up with some savings across the board. We sat down and figured out how to do some week-end operations that always cost us some overtime. We were able to start picking up some restaurants and our businesses later on Friday so that we don't have to do it on Saturday which saved three hours of a truck driver, three hours of a laborer and then on Sunday they're going to pick up an extra hour, the truck driver and the laborer, and we're doing away with the street sweeper in the shopping center. With the lack of business at the shopping center that always caused the trash, there was no sense of bringing in a sweeper for three hours at that expense so without going into all the dollars and cents I'll just give you a: for 2013 it's going to be a \$7,000.00 overtime savings to us and for 2014 it's going to be a \$13,000.00 savings for '14. I want to thank the Service Dept. for stepping up and looking at things and working with me on trying to reduce their operations down there and this is not all. There are other things that

we've talked about, but we truly don't have a good grasp on it but we'll bring it back when I have more but I do want to commend the Service Dept. for coming up with these ideas.

TAX COMMISSIONER, Mr. Geiser – I just wanted to follow up on Ordinance No. 32, 2013. As the Auditor mentioned, there is a request in there for \$50,000.00 for tax refunds. Right now \$30,000.00 of that will be paid out which will leave us approximately \$20,000.00 to get us through the rest of the year. I hope that's enough.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Meier – The Finance Committee will be setting another meeting and will announce it next Thursday so that we can begin working on the budget for 2014. On Ordinance No. 32, 2013, I feel like we've already gone through this. Again the \$50,000.00 in tax refunds, that's money that we've taken in that we really weren't entitled to so it's not an additional expense. It's not something that we can really control. So we took in \$50,000.00 too much and we're going to pay it back out. Firemen's overtime, we have had some injuries, we've had some people, in combination injuries, vacations and time off so we've had some additional expenses on that. Tuition and Training, that's something that you have when you have a new Fireman and we've been fortunate and hired some good new Fireman in the last year. So in the line items for the Recreational Employees and the Swim Employees, I guess I have to defend Council on this, because if we go back to when we did the budget, we don't go back in 2010, the 2012 budget, Peggy and I disagree on a lot of things but I do rely on her for her numbers because she's been very good on her numbers providing us with payroll. So it looks like that is something that has slipped through the cracks and how it's been handled but we'll get that in between the Finance Committee and the Auditor's Office. We'll get a grip on what that is and what the real numbers are and which line items things should be coming out of. And like I say, next Thursday we'll announce when we'll have the next Finance Committee meeting.

SAFETY, Mr. Asbach – First of all I'd like to thank Mr. Tobergte for cooking at the Block Watch Meeting. It was a cookout down at Ross Park and it was very well attended. So thanks to Mr. Tobergte.

I have the July Fire Dept. Report. Fire run activity; there were a total of 39 calls. Emergency Medical Response, there were a total of EMS runs of 70. Inspection Activity; there were a total of 31 inspection activities.

I also have the Police Dept. report from June. During the month of June, officers were involved in 736 calls for service. Of those calls officers responded to 30 accident reports and took 31 offense reports. Officers cleared a total of 17 offenses. Officers made 69 misdemeanor arrests and 5 felony arrests. Officers responded to 27 parking complaints and issued 5 citations for parking violations. Officers issued 32 traffic citations, 8 DUI arrests and 64 warnings. Officers responded to 135 calls for suspicious activity, vehicles or persons.

SERVICE, Mr. Holt – No report.

PUBLIC IMPROVEMENTS, Mrs. Schildmeyer – I spoke about this at the COW but I was asked to give this information tonight.

The demolition of properties within St. Bernard via the Port Authority is continuing.

The properties already demolished include.

200 Washington Ave.

204 Washington Ave.

4812 Tower Ave.

4614 Vine Street

4620 Vine Street

4622 Vine Street

Properties yet to be demolished include:

4606 Vine Street

4714 Vine Street

4616/4718 Vine Street

The funding for the demolition comes from the Moving Ohio Forward project via the State of Ohio.

Service Center work is progressing, concentrating on in-ground concrete and infrastructure items.

Bids were due for the Safety Center on Wednesday, August 14, 2013.

The project for the development of Town Homes on the block across from the Library is advancing. The last of the existing structures has been removed and the land leveled and seeded. The builders/ developers are in the process of establishing a sales office in the old Chili Time building and securing construction financing. Construction on the first section of town-homes is expected to begin in the Fall of 2013.

LAWS, CONTRACTS AND CLAIMS, Mr. Culbertson – No report.

BUSINESS AND INDUSTRY, Mrs. Bedinghaus – No report.

HIGHWAYS AND TRANSPORTATION, Mr. Tobergte – No report.

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

Committee of the Whole
Aug. 8, 2013

1. Council met in Executive Session to discuss pending litigation.
2. Council approved the minutes of the Aug. 1st Council meeting.
3. Fire Chief, Don Moeller, addressed Council about the Fireman Overtime line item. This will be discussed at a Finance Committee meeting on Tuesday Aug. 13th. He also needed \$5,000 in the Paramedic & Firefighter training line item as well as \$3,000 in the Tuition & Training line item. Council voted 7-0 to put the transfer Ordinance on the table.
4. Mayor, Bill Burkhardt
 - A. Reported that there was an employee health care meeting and they are looking into different plan options.
5. Auditor, Peggy Brickweg
 - A. Said that she looked into the Criminal Act Forfeit Fund and the things that can and can't be bought out of that line item. She and the Chief are talking about the items that qualify to be bought from the line item.
 - B. Reported that there will be a yellow piece of paper attached to everyone's paycheck this week explaining the changes to mandatory direct deposit that will begin on October 4th.
6. Service Director, Phil Stegman

- A. Said that there was a problem with the audio system in Council Chambers and it was repaired on Tuesday.
 - B. Said that the silver pickup truck at the St Bernard Square Shopping Center, will be for sale on the Hamilton County website.
7. Treasurer, John Ungrhue
 - A. Gave Council a copy of the Village's securities report.
 8. Finance, Kevin Meier
 - A. Said that there will be a Finance Committee meeting on Tuesday Aug.13th at 7PM.
 9. Safety, Steve Asbach
 - A. Said that the next Block Watch meeting will be on Tuesday Aug 20th at Ross Park, Area 3, starting at 5:30 with a grill out and meeting to follow.
 10. Public Improvements, Diana Schildmeyer
 - A. Reported that the development of the new townhouses on Tower Ave will begin in the fall of 2013.
 - B. Also reported that there have been six properties demolished to date, with three more to be done soon. There were two on Washington Ave, one on Tower Ave and six on Vine St. and the funding for the demolition came from the Moving Ohio Forward project via the State of Ohio.
 - C. Said that the Service Center work is progressing and the bids for the Safety Center are due on Wednesday Aug 14, 2013.
 11. Business & Industry, Cindi Bedinghaus
 - A. Reported that the article in the Enquirer, regarding the closure of the PMC Specialties Group, Inc, was not correct. They will not be closing.
 12. Highways & Transportation, Don Tobergte
 - A. Said that his next Town Hall meeting will be Tuesday Aug 13th at 7 PM in the lower level.
 13. A motion was made and seconded to move the next Council meeting to Thursday Aug 22nd, since there are five Thursday's in August, to allow for an Ordinance to be prepared for the bids on the new Safety Center. Council voted 7-0 to move the meeting.

A member of the audience asked who made the decision to put the 1,000,000.00 into the employee health care line item for next year, the Mayor or Council. The Mayor stated that the way it looked right now that would be the amount, but the finance committee will have the final say. The committee had lowered it to that amount last year and then added over \$325,000.00 from other line items for 2013.

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

COMMUNICATIONS

None.

RESOLUTIONS AND ORDINANCES

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

ORDINANCE NO. 32, 2013. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Holt to suspend with the second and third reading of Ordinance No. 32, 2013.

REMARKS

Mrs. Bedinghaus – Peggy I want to thank you for that report, that email about the Recreation and the Swimming Pool Employees which was explained. Peggy, also let me know about the Water Aerobics that I know (inaudible).

Mr. Tobergte – Since the Safety Director isn't here and the Fire Chief is here, Chief Moeller is the Fire Inspector expected to fill in some time now and is he helping out sometime or is that gone by the wayside?

Chief Moeller – No, that has not gone by the wayside. The Fire Inspector just got back this week from vacation and I informed him that he would be transferred out of the office in October. Now, the reason for that is because in Sept. there are only two days that are affected by the person that is going to be off. So there is going to be two additional days in Sept. and I couldn't see pulling him out of the office for two days in Sept. In October we'll be saving seven days overtime with him in the office in October and I'll be anticipating that our injured Firefighter will be back to work then.

Mrs. Brickweg – I did want to let Council know, we've been working diligently with this and pretty much we had a call last Friday and they're not too much concerned about that. It's been appealed back and forth and we're waiting to hear. The surgery itself is being covered but they only want to cover part of it and it's a big expense. On our end we did everything we can do but they're just kind of dragging their feet. I talked to the employee, he wants to get everything taken care of but it's not working that way.

Don Moeller, Fire Chief – First off, I want to thank the Finance Committee for recommending additional appropriations, I really appreciate that that really makes my job a lot easier. Secondly, the Tuition and Training line item. That wasn't the line item that needed the additional funds. It was going to be School Overtime. I originally, at COW, I did ask for money for Tuition and Training but I miscalculated how many semesters were left in the Paramedic training and so it turned out I really didn't need money in the Tuition line item. I had enough in there to cover that.

Mrs. Brickweg – All Council needs to do is amend it and it would be line item 7-A-2A. Just take the A off.

Motion by Mr. Meier, seconded by Mrs. Bedinghaus to amend Ordinance No. 32, 2013 to read under Section 1 change 01-7-A-2A Tuition and Training to 01-7-A-2 School Overtime.

Mr. Tobergte – The actual title for that line item is Paramedic and Firefighter Training instead of Schooling. Does that matter?

Mrs. Brickweg – As long as we have the right line item I will get it in there. Basically what they really want is the correct number.

The motion to amend Ordinance No. 32, 2013 passed 7-0.

The motion to suspend amended Ordinance No. 32, 2013 passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Culbertson to adopt Ordinance No. 32, 2013 as amended. Motion passed 7-0.

ORDINANCE NO. 33, 2013. AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A PROPER CONTRACT FOR THE SAFETY CENTER PROJECT IN THE VILLAGE OF ST. BERNARD AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Tobergte to suspend with the second and third reading of Ordinance No. 33, 2013.

REMARKS

Mr. Tobergte – I got another question today from a City employee. They're asking, you know, this is only 7 million dollars but the bond was for 9.5 million dollars. I tried to explain to them the 7 million dollars is just the shell of the building. It does not include furniture, does not include the control board for the police dispatcher, doesn't include utilities, engineering fees or anything else. Mr. Myers figured 9.5 million dollars will be spent easily down there with all the other add ons.

The motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer adopt Ordinance No. 32, 2013 as read. Motion passed 7-0.

OLD BUSINESS

Mrs. Bedinghaus – I know that we've talked before about Friars coming down by Roger Bacon to Paul a few weeks ago. I wondered what that status was and he said they were still interested. I did hear Friday night that that was going to happen. I don't know if anybody else has heard anything but I did hear it from the president of the Alumni group that it was going to happen and the first phase will be starting sometime in the fall and the first phase of that will be 71 parking spaces down in the gravel lots where the practice field is. So that will get some of the parking off the street for the students. Along with that I know that Roger Bacon is going to be doing some expansion and I'm not sure what but on their basketball court in the gym that they have now. They're going to be partnering also with the Friars Club to be able to use a combination of the weight room putting them together between certain hours. The other thing I heard Roger Bacon was going to do is the old gym that's in the school where all the classrooms are. That gym will be created into like a theater. It'll be like for concerts and plays and things like that. All of that I think is very positive and I'm glad that I heard that they were going to do that.

Mr. Meier – I spoke with Paul Myers this week. I don't know if you noticed but on Vine St., the Gallery Experience and I was a little bit confused because I know the people who have bought the property, the Maxum's property, is planning on converting the first floor of that to an art gallery. So I was a little bit confused when this other gallery opened. In talking with Paul he explained that the gentleman who owned the barber shop is actually a very talented photographer and that Gallery Experience is a gallery of his own work. The work is still going to continue on Maxum's and when that opens that will be original art work. So we'll have two different styles. We'll have a very talented photographer showing on one end of the block and we'll have a talented artist in addition. I was a little bit confused with that and there were probably other people that were wondering about that as well. So that's the explanation for what you're seeing on Vine St.

Mrs. Brickweg – I just wanted to add to the whole thing but it has a column in the end and it lists the Ordinance No. so it will be a lot easier for the Finance Committee and everybody else to actually see something when we have an additional appropriation. The software one is there but it is very difficult to realize it. So I really don't foresee that being a problem.

NEW BUSINESS

Mr. Stegman – I know there will be a few Call Commands going out between now and then but October 19th from 10:00am until 1:00pm we're going to have our "Shred It Day". It's always good to start announcing that now so people can get their documentation that they want to shred together. That will be here at City Hall October 19th from 10:00am until 1:00pm.

Also now that my job is starting to dwindle down on the stopping people from throwing grass into the street, some people and myself are starting to pick up the pace on looking at people who have trash cans with no lids and putting raw trash in their garbage cans. We do have Ordinances. It stops rats from being around and rodents from tearing into garbage cans if we have a lid, a proper sealed lid and the garbage sealed in a garbage bag. I've got quite a few people we're going to go after to try to get them to abide by the rules. That will be my next venture of enforcement. I'm letting people know that I will be knocking and calling and pursuing that. Just wanted to let everybody know what's going on.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

Mr. Asbach – The next COW meeting will be Thursday, August 29th at 7:30pm.

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

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