

**ST. BERNARD VILLAGE COUNCIL MEETING
JUNE 19, 2014**

The regular meeting of the St. Bernard Village Council was held June 19, 2014 in Council Chambers.

Mr. Asbach made a motion to go into Executive Session before the regular order of business to discuss pending litigation. Mrs. Schildmeyer seconded the motion. Motion passed 7-0.

Council went into Executive Session to discuss pending litigation.

The regular order of business was resumed after the Executive Session discussing pending litigation.

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, Ms. Hausfeld, Mr. Kalb, Mr. Asbach, Mrs. Schildmeyer, Mr. Culbertson, and Mrs. Bedinghaus.

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

Mr. Asbach – At this time I would like to make a motion to allow Mr. Burke to proceed with the plan that was discussed this evening in Executive Session.

Mrs. Schildmeyer – I'll second that.

Motion passed 7-0.

REPORTS OF VILLAGE OFFICIALS

MAYOR, Mr. Burkhardt – The Mayor's Monthly Court Report Receipts for May, 2014: Mayor's Court Costs/Fines/Fees/Miscellaneous receipts were \$3,487.28, total to St. Bernard was \$3,487.28. Total to the County was \$22.50. Total to State was \$1,097.50. Total Disbursements were \$4,607.28.

I would like to thank all the Department Heads, Administration and Council for working together to prepare the Hamilton County 2015 Budget.

I would also like to request an Executive Session to discuss contract negotiations.

AUDITOR, Mrs. Brickweg – The Auditor's office has prepared Ordinance 26, 2014 for tonight's meeting. This Ordinance allows the Auditor's office to provide additional appropriations to:

01-2-O-2A Service Dept. Overtime	\$879.96
01-58-8 Holiday Activity	\$365.00
01-58-5C Tee-Ball	\$600.00
05-MP-16 CIC	\$1,857.98

This is money the Village received and was placed in the General Account. By Council appropriating the money it will allow it to be used in the appropriate department. The Holiday Activity and the Tee-Ball line items was money donated to the Village for those purposes. The additional money for the Service Department Overtime is from money Councilman Tobergte donated to pay for the overtime needed for the Soapbox Derby. The CIC appropriation is the Shopping Center rent money the Village received for the property the CIC owns and operates.

The Ordinance also provides for the moving of funds:

FROM GENERAL FUND:

01-58-2A Recreation Employees \$5,725.87

TO SWIMMING POOL FUND:

02-SP-2P Swimming Pool \$5,725.87

This allows payroll for all swimming pool employees to come out of the same line item. In the past the Indoor Pool Lifeguards came out of the recreation budget. Now all Lifeguards will be paid from the same line item in the swimming pool fund.

When I get the final numbers from the Finance Committee I will prepare the report for the budget hearing that will take place before the June 26, 2014 COW meeting. Council will vote on accepting the Hamilton County Budget at the July 3, 2014 Council meeting.

I would like to be placed on next week's COW meeting agenda to discuss an additional appropriation that is needed for the Accumulated Sick Pay line item and possible needed appropriations for the Fire Dept. Overtime from Fire Fighters retiring. I would also like to discuss the investments that we did not reinvest and what line items to put that in. I will also review all the line items for any other items that may need to be voted on before Council goes into summer recess.

DIRECTOR OF LAW, Mr. Walden – I just briefly wanted to address Ordinance No. 27, 2014 which is before Council tonight and was not discussed at the COW. I think Phil had talked to all of Council, but just to let the public know, we were presented with a request for an easement by the Friars Club just yesterday. It's for a storm sewer that's on City property, it's part of the new Friars Club building down there. They need the right to do that, to put the storm sewer there and hook it up and get it running in order to further the construction. I understand things are going so well with the construction that they actually have the storm sewer completed but would like to have the permission to have done that and get it hooked up so that they can finish construction. That's why this is before Council without going through COW so we appreciate Council's consideration on that.

TREASURER, Mr. Ungruhe – This evening I have prepared the monthly Treasurer's report for Village Council.

Receipts for the month of May, 2014: \$ 676,844.88

Receipts for the year through May 2014: \$ 5,255,416.71

In addition the Auditor mentioned we had our CD mature so out of the Fifth Third securities account it was \$243, and some odd dollars that was transferred when it matured on the 13th.

SAFETY DIRECTOR, Ms. VanValkenburg – Just to follow up on what the Law Director was discussing I would direct your attention to paragraph two of the storm sewer and yard drain easement, just to reassure everybody, the cost of storm sewer

facility, including the maintenance and repair and replacement, would go to the grant fee that we wouldn't be responsible for. This is pretty standard and the usual kind of thing if it does occur. We still have ownership in the real property but we're just giving them the right to use it. That's pretty usual with these kind of construction projects.

Also, just a reminder, we are headed into the summer storm season. It would be really helpful for the residents to have at least one radio that is battery operated and make sure you have fresh batteries because we all hear to our basements to wait out storms. It's good to have that kind of information.

SERVICE DIRECTOR, Mr. Stegman – Just a few updates. Remember I was telling you I went to Duke and I was telling you I was asking for \$40,000.00 for the Ross Ave. project and they did come back with their number and their number was a little less. They are willing to give us \$25,000.00 for the resurfacing of the Ross Ave. project if we decide to move forward. That's out there in the wings when we make that decision in August or September.

Also, as a reminder, Wednesday, the 25th, the bid openings for the Streetscape will be at 11:00am, so hopefully next Thursday I'd like to be put on the COW agenda for discussion of those funds that were there and the bid openings and the results of those bids.

TAX COMMISSIONER, Mr. Geiser – Absent.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Tobergte – The Finance Committee met again tonight at 6:00pm over the budget we send to the County in July. We are recommending that we accept the budget as presented.

SAFETY, Mr. Culbertson – No report.

SERVICE, Mr. Asbach – No. report.

PUBLIC IMPROVEMENTS, Mrs. Schildmeyer – The Building Department is currently conducting on-going inspection on \$16 million of commercial projects carried over from 2013. We are also inspecting new permits issued since January 1st for over \$3.4 million.

The breakdown of permits is as follows:

As of June 1st, 2014 we have issued 61 permits: OBC and one, two and three family construction:

A: OBC regulated construction: year to date 29 permits were issued

B: RBC regulated construction: year to date 32 permits were issued

Inspections and Plan review:

A: Approximately 110 inspections were made on commercial and residential projects.

B: 29 plan examinations and reviews.

HIP

A: May 1st through June 1st 24 initial home inspections on Church Street
15 initial home inspections on Park Place

B: 36 follow-up inspections on Sullivan and Vine Street

C: 29 sets of orders pending.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – No report.

BUSINESS AND INDUSTRY, Mr. Kalb – No report.

HIGHWAYS AND TRANSPORTATION, Ms. Hausfeld – No report.

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

Committee of the Whole
June 12, 2014

1. Council approved the minutes of the June 5th Council meeting.
2. Auditor, Peggy Brickweg
 - A. Asked for an Ordinance to move money for overtime from the Soap Box Derby, donations for Holiday Activities and Tee Ball to their respective line items. She also needs to have an additional appropriation for the rent for the Shopping Center. The lifeguards, both inside and outside pool, will be moved to one line item. Council voted 7-0 to put the Ordinance on the table.
 - B. She announced that there will be a Public Hearing, for the 2015 budget, at 7 PM on Thursday June 26th before the regular COW meeting.
3. Law Director, Curtis Walden
 - A. Said that he had attended two meetings with Kim Burke and the Attorney General's office this week. They are working on a resolution to the landfill issue for the residents and the Village. Council will begin the Council meeting on June 19th at 6:30 and vote to go into Executive Session with Mr. Burke.
 - B. He is trying to schedule a meeting to address the additional questions brought up at the last Mayor's Court meeting. He will keep Council informed.
4. Safety Director, Valerie Van Valkenburg
 - A. Reported that the Badge of Honor Memorial Foundation is an organization which assists the survivors of police officers who have been killed in the line of duty. The Village is proud to announce that St. Bernard Police Officer Derrick Setters was invited to participate in the Badge of Honor ceremony as part of the National Police week in Washington DC last month. I want to recognize Derrick for that honor and service.
5. Tax Commissioner, Ed Geiser
 - A. Reported that he had talked to Peggy about his refunds line item and he hopes that it will last until the end of the year. There is a possibility that he may need more money but will wait and see how it turns out.
6. Treasurer, John Ungrhue
 - A. Said that one of our CD's matures tomorrow and he will move the \$241,000.00 to the General Fund until we see about a fine from the Attorney General on Bank St.
7. Finance, Don Tobergte
 - A. Reported that the committee met tonight on the 2015 budget and will meet again on Monday June 16th at 6 PM to finalize for the Public Hearing.
 - B. Also said that Jason Slusher will be at the next Block Watch meeting to discuss bugs and extermination.
8. Safety, Ray Culbertson
 - A. Gave the May Fire Department report. There were 28 fire runs, 92 emergency medical runs and 22 inspections.
9. Laws, Contracts & Claims, Cindi Bedinghaus
 - A. Said that at the Committee Meeting last week Ordinance No 16, 1995 was discussed and they are asking for a change for the start time for work during the

week to 7 AM for the current 6 AM. Council voted 7-0 to put the Ordinance on the table.

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

COMMUNICATIONS

Dear Mayor Burkhardt,

I just wanted to write a note of thanks from the St. Bernard-Elmwood Place School District and in particular from the students and staff at St. Bernard Elementary for allowing us to have our annual pool party again this year. I know there were some concerns dealing with maintenance issues, and Phil Stegman was able to get things done for us. I truly appreciate his dedication to the students at our school. They do look forward to this every year. I want to also mention Paul Strotman in my “thank you”. He was very easy to work with and very accommodating. Please pass this on to those two gentlemen for me.

Sincerely,
Brian Connors

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to receive and file the communication. Motion passed 7-0.

RESOLUTIONS AND ORDINANCES

Motion by Mr. Asbach, seconded by Mr. Culbertson to put Ordinance No. 27, 2014 on the table. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Kalb to read this evening’s Resolutions and Ordinances by title. Motion passed 7-0.

ORDINANCE NO. 26, 2014. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS MOVE APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 26, 2014. Motion passed 7-0.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to adopt Ordinance No. 26, 2014 as read. Motion passed 7-0.

ORDINANCE NO. 27, 2014. AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A PUBLIC STORM SEWER AND YARD DRAIN EASEMENT FROM THE VILLAGE OF ST. BERNARD TO THE FRIARS CLUB, INC., AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Culberson, to suspend with the second and third reading of Ordinance No. 27, 2014.

REMARKS

Mr. Tobergte – Curtis, I know Heidi sent out an email that she changed something in the Ordinance. Was that in the second WHEREAS?

Mr. Walden – I believe so. The email that I got about that was in order to save paper. She did not change it in everyone's copy that they got but she did change it.

The motion to suspend passed 7-0.

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

Mr. Culbertson – I would like to make a motion that we go into Executive Session after the meeting to discuss contract negotiations.

Mr. Tobergte – I'll second that.

Motion passed 7-0.

OLD BUSINESS

Mr. Tobergte – Peggy in your report you said something about the Fire Dept. Overtime needing adjustments because of retirements.

Mrs. Brickweg – Yes.

Mr. Tobergte – Their detail is?

Mrs. Brickweg – Their time off.

Mr. Asbach – We have discussed this previously but I would like to make a motion at this time to change the COW meeting in July to Thursday, July 24th instead of the 31st. There is actually five Thursdays in July. But two members will be out of town so we're going to move the COW up to the 24th instead of the 31st.

Mr. Culbertson – I'll second that.

Motion passed 7-0.

Mr. Tobergte – Valerie, last year you were working on a report on how many rental properties we have in St. Bernard. Did you ever get a chance to finish that?

Ms. VanValkenburg – Well, I can't get an exact number for you because I can only get that information for you from the Tax Dept. and they can't give that to us. So we will work on trying to update what we had provided, I mean we gave you a rough estimate last year, we'll try to work on honing that but it will not be necessarily 100% accurate. We'll keep working on that.

Mrs. Bedinghaus – Did we have any more information on Greenlee and fixing that turn? Did we do those other two streets?

Ms. Van Valdenburg – The equipment was broken. It had been fixed. We ran it. Something happened to it again. There was a cost to repair it and I'm drawing a blank but I will have to check with the Chief on where that stands. We did want to

run those but the equipment went back to them unfortunately. So I'll see where we are with that and I'll get back to you next week on that.

Mr. Tobergte – The last thing here, is there a budget process. The Tax Commissioner said it's not his job to provide an estimate of the income. I looked at his job description, it's not spelled out anywhere in there that he has to participate in the process so I'd like to put it on the COW agenda where we would have an Ordinance for the Tax Commissioner is responsible for providing a projection for earnings for payroll taxes?

Mrs. Brickweg – I just had two things. I wanted to ask Council, I know, one person that's not going to be there but if the rest of Council is going to be able to make the meeting?

The only other item I have and I brought this up in the past but I just thought of this again, we're still having major issues with people grilling in our parks. I talked to somebody about that this week. I looked over Tuesday night and there were flames three feet high with little kids playing. I'm going to urge that we get an Ordinance out there that says you cannot grill in a public park before somebody gets hurt and the people were grilling well after 11:00pm and I called the Police and they came and after 10 minutes they were back. So I'm just thinking maybe if for safety reasons, you know, I don't like work in my front yard and see flames going up but I just think we really need to work on that before a child gets hurt.

Mrs. Bedinghaus – Just so we know, in the Laws, Contracts and Claims, we all have some questions and so, Curtis wasn't there that first night, so I did ask him, I met with him last week after the meeting and asked him to look up some things for us and go from there.

Mr. Walden – And to follow up from there, there are Regulations, Ordinances, simply regulating open flames in St. Bernard and that's the area we're going to try to go to if there are some controlled situations.

NEW BUSINESS

None.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

Council went into Executive Session to discuss contract negotiations.

Mr. Asbach – The next COW meeting will be Thursday, June 26 at 7:00pm.

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