

**ST. BERNARD VILLAGE COUNCIL MEETING
JUNE 16, 2016**

The regular meeting of the St. Bernard Village Council was held Thursday, June 16, 2016 in Council Chambers.

President of Council, Mrs. Valerie VanValkenberg-Walden – The meeting was opened with a prayer followed by the Pledge of Allegiance.

Mayor Estep called for a moment of silence for the Orlando victims.

Mrs. Brickweg – Announced the Public Hearing for the 2017 tax budget for the Village of St. Bernard. The budget will be submitted to Hamilton County for their review. Council and the Administration has a copy of the budget. Also extra copies are provided for the public.

Motion by Mr. Asbach, seconded by Mr. Tobergte to approve the 2017 tax budget and send it to Hamilton County. Motion passed 7-0.

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. Mrs. Bedinghaus seconded the motion. Council agreed 7-0.

REPORTS OF VILLAGE OFFICIALS

MAYOR, Mr. Estep – I would like to start with a "thank you" for everybody's help in the observance on Memorial Day and the parade as well. It really went very well, the weather was nice and it was a great holiday. Also as a reminder for that, you can always check out our website for upcoming activity at the pool and other places that are going on.

Fourth of July will be held July 2nd. Saturday. We will start off with the 5k race at 9:30am and then we'll move our festivities to Ross Park. It begins at 3:00. We will have a band, food and beverages and commence with fire works at 10:00pm. You can register for the race at JuJu Beans and we're still looking for about 20 volunteers to monitor the intersections to make the race as safe as possible. If you would be interested, you don't have to travel, we'll assign you an intersection, you just go there and sit and you just sort of monitor the race. Just call Cheryl Abrams at City Hall and she'll put you on a list.

AUDITOR, Mrs. Brickweg – The Auditor's office provided Council and the Administration with the May, 2016 revenue and expense spreadsheets. The revenues year to date were \$4,593,245.90. The revenues compared to April 2015 are down \$639,499.96. The Village did receive the first half of the county property taxes which were \$422,807.98. I forwarded the property tax information onto Paul Myers so he can discuss it with the Tax Increment Financing attorney regarding when we need to start paying some of it back to the schools. With the property tax included the revenues are down \$216,691.98 year to date.

The year to date expenditures as of the end of May, 2016, with grant and bond money removed were \$5,129,751.22 comparing the same expenses to 2015 they are down \$36,427.20.

I would like to be placed on the COW meeting to discuss some additional appropriations.

DIRECTOR OF LAW, Mr. Peck – Last night we had Mayor's Court. There were 36 tax cases, 30 arraignments, 20 cases for payment, 1 dismissal, 1 housing code, 2 pre-trials and 4 cases set for trial resulting in 2 pleas and 2 bench warrants.

In response to Mr. Culbertson's question the last time at COW about the liability of the City regarding sidewalk signing, I believe it was, businesses generally bear the responsibility on the condition of the sidewalk and therefore injury occurring from any kind of occurrence on the sidewalk. For example, a slip and fall case where a business is liable for the injury of the person who fell based on the condition of the sidewalk. Generally speaking we're not going to be liable for injuries that occur for sidewalk signage.

In response to Mr. Tobergte's question about the legality of charging residents less for services than non residents, I haven't found anything, Mr. Tobergte, that would suggest that the City or Village could not do this. If it came to allowing residents only with regard to pool passes and workout facilities, I didn't find anything that said we can't charge them less.

Also with regard to Robert Evans and the grass Ordinance, I tried to call him several times. I have not received a response. I received a better number for me to get him at so I'm going to try that.

TREASURER, Mr. Ungruhe - This evening I have the 5th/ 3rd securities balances as of the end of May 2016. We have \$1,215,000.00. With the State of Ohio Star Account we have at the end of May \$2,712,084.38. Total investments \$3,937,084.38.

Also received the statement from 1st Safety Bank for the monument fund outside here. At the end of May that total was \$5,629.62.

SAFETY DIRECTOR, Mr. Stutchell – I have the St. Bernard Fire Department report for the month of May: 43 fire details, mutual aid was given twice for fires to Elmwood and one to Cincinnati. Mutual aid received was zero. As far as EMS details, there was a total of 104 runs with 68 patients transported, mutual aid given for the month of May, for Elmwood Place 22, Norwood 1, Springfield Township 1, Reading 1 and Cincinnati 1.

Just to give you an update, pardon me, we didn't receive any mutual aid for EMS on the situation with Elmwood Place after meeting with them last month. We have had a substantial change in run volume to Elmwood Place for both mutual and automatic aid through the St. Bernard Fire Department as far as EMS. Currently there have been 5 runs dispatched for St. Bernard for the month of June. One was just, we were dispatched by mistake, 2 were because their squad was on another run and 2 were because their ambulance was actually out of service for mechanical issues. We are making progress and I will keep you all updated as our sixty day period that we have given them to make changes there by the end of August. I don't feel like to also send a message to the residents of Harvey Ct. regarding the parking complaints that have been reported to the Police Department. Before I make a ruling on eliminating parking on one side of the street, I'd like to get feedback at the next COW meeting from those residents. I'd like to ask the residents to feel free to give me a call or to come to the next COW meeting to voice their concerns.

Also we had some quick reminders from the Police Department about some issues that we've been having, juvenile phone theft, a reminder to your kids to not let their cell phones out or at the library or down at the pool. As a reminder on curfew, the curfew is midnight and please remind your children. I had to remind my own on that as well. Park closing time, the small parks close at 10:00pm and large parks, Ross and Vine close at 11:00pm. Also, as a reminder to adults who are using the picnic areas at Ross Park, there is no parking in the grass. You are asked to please

drive and unload and drive back out to the parking area. If it is not stopped you will be ticketed. We have been very generous in giving warnings.

Also, car theft, as far as a security issue, as far as people leaving their vehicles unlocked, there have been some juveniles going through cars and there have been some arrests so we are making progress but this can actually be eliminated if you would please lock your vehicle. It's very simple, don't leave your items out in the open for them to see. The juveniles have been traveling and basically going shopping with their back packs so its very simple, around your home, leave a light on, have motion detectors that way we can pretty much work together.

Also, I have a reminder in myself personally for the juveniles living and traveling through the Village of St. Bernard that we will not tolerate thug like mentality nor fighting. Coming out of a meeting earlier this week, myself and several Village officials and another observer actually witnessed a big fight going on in front of City Hall where we had to intervene with a large group of juveniles. So I appreciate the quick response from the Police Department and again we're not going to tolerate that.

SERVICE DIRECTOR, Mr. Paul – I did the research on packers: you're not going to believe what I have to tell you. Average 5-7 years before you possibly have to start the process of repairing and more critical maintenance. Cities have actually gotten 20+ years on some. Most last with repairs 10-12 years. I will look into ways to improve our maintenance even though we fall into the average. Therefore, you will need still to make up your mind about a 5 or 7 year lease. Also on this matter our newest packer just had to be towed in for repairs. That one I believe is only five years old. What the average is and what we're looking at, it's a gamble. You could get a new one and in two years we'll be putting stuff in it or it may last. One that made me smile, New York City has a 30 year one. That's impressive. But that's probably a mechanic that says, you're not touching my truck, get off! That's all I can think of. How do you get 30 years out of a truck?

Cheers to our people on Jackson. You are enduring. I know that it is dusty, noisy and difficult to park, but it will soon be new, smooth and completed and your favorite spot to park will be returned to you. Although I may keep you off of it for a bit longer as I admire the newness. I am smiling and just joking. Hang in there. If you need a sounding board I am here for you.

I would like to apologize to the coaches, teams and families for all the rained out games. As you may or may not know, our fields are in desperate need of repair. It is not ALL the fault of our caretakers. I have estimates and have been to meetings to find the best way to progress. Paul Schildmeyer has become an invaluable asset to our endeavors and the Mayor and I would like to express our gratitude. We are excited about the coming meetings and look forward to meeting the people you are bringing to the table. Thanks Paul!

We have our grass mowing under control although I am certain that there will be times of our gentle reminders to get it below the noxious weed level of 10". I will be retiring my britches which I dubbed the, "length, leveling, tickle me here levies" as they served their purpose. Again I am smiling, what a great community and people.

Your Administration has found it necessary to become less tolerant of those of you who are placing your trash out too early or on the wrong days and then leaving your containers in the right of way. Be aware that this can lead to a citation. Please visit our website for your proper procedures at "cityofstbernard.org". Thank you. I'd also like to ask Council for an Ordinance for the purchase of a new dump truck which funds have already been appropriated in this year's budget. I guess we do that at COW? Thank you.

To My Community:

Watering is vital for us and our gardens. Most of us know how to water. But to water your inner garden, you need to open the gates, allow friends to come in and set a spell for they are the water you need to care for these plants. Pay attention to all your plants, for they all are special. When a weed appears, give it your attention, then pick it and cast it aside. If a friend hands you a basket of weeds, teach them that they are not worth watering. Let these weeds wither and die. For it is far better to sit in a colorful fragrance than to be blistering and blotchy.

TAX COMMISSIONER, Mr. Moore – Do we have to go in alphabetical order? I have two things this evening. First, I put the May figures in everybody's box. If anybody has any questions or anything I'll be glad to answer them if I can. Secondly, I'd like to go into Executive Session tonight, we had something occur, it could go into litigation and I'd like to bring everybody up to date.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Tobergte – I would just like to thank Mr. Paul for preparing his 2017 budget.

SAFETY, Mr. Culbertson – I have the Police Department report for May, 2016. During the month of May officers were involved in 784 calls for service. Of those calls officers responded to 28 accident reports, took 32 offense reports. Officers cleared a total of 19 offenses. Officers made 77 misdemeanor arrests and 2 felony arrests. Officers responded to 54 parking complaints and issued 11 citations for parking violations. Officers issued 26 traffic citations, they made no DUI arrests and they issued 57 traffic warnings. Officers responded to 63 calls for suspicious activity, vehicles or persons.

I'd also like to remind the residents that if any sales person knocks on your door that you have not invited yourself, please contact the Police Department at 242-2727 to make sure that this person, sales person, is legitimate, that they followed the proper channels and they have the proper credentials for going door to door. Lastly, the next Block Watch Meeting will be Tuesday, June 21st at 6:30pm.

SERVICE, Mr. Asbach – I have the Service Dept. Report for May, 2016. There were 33 trucks placed at residences, 31 dumpsters placed at residences and 216.76 tons of garbage was taken to the landfill. 33.59 tons of recycling material and 2100 pounds of scrap metal. I'd also like to thank Jergensen Company. I've had a couple of complaints about the high weeds down at the old fire station so I called my son and called a favor in had them clean those weeds down at the fire house so to everybody who complained about the weeds they are somewhat taken care of for now.

PUBLIC IMPROVEMENTS, Ms. Hausfeld – Well Madam President, I was going to talk about the weeds at the fire station because I discussed it with Tommy Paul several weeks ago. He called me just two days ago and said he had it taken care of. But that's OK, they're down and that's all that matters.

I also want to thank Tommy Paul for always making this meeting so lively and jolly I guess is the word I want to say.

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

BUSINESS AND INDUSTRY, Mr. Kalb – Before the July 7th COW meeting at 6:00pm, my committee will have a meeting here in Council Chambers to discuss

Ordinance 13 and 14 which was discussed at the last COW in regards to the sandwich boards and outdoor eating areas. All are invited to attend.

HIGHWAYS AND TRANSPORTATION, Mrs. Schildmeyer – No report.

Mr. Asbach – Mrs. Bedinghaus has submitted the COW report to the Clerk.

Committee of the Whole
June 2, 2016

- Council approved the minutes of the May 19th Council Meeting.
- Mayor Estep introduced the UC graduate marketing student, Jacob Bobo. He will be working with the village to enhance the marketing opportunities.
- Paul Myers gave a Power Point presentation to Council and audience of accomplishments from 2009-present and future potential projects.
- Ordinance #13 discussion regarding Board signs for the Heritage Hill Over Lay District and B-3 District. Decision was made to continue the discussion at next COW.
- Ordinance #14 discussion regarding outdoor seating for Sidewalk Cafes, business uses on Downtown sidewalks and Outdoor Dining Facilities. Walt Moeller explained the Ordinance to Council. Decision was made to continue with the discussion at next COW.
- Dog Park—discussion took place of a couple of options for a dog park; Tennis Lane/Tennis Court and Ludlow Grove Park. Service Director informed Council that the renovation of the tennis courts is being considered. Ludlow Grove Park is utilized by various sports teams for practice. Will continue to evaluate other options for a dog park.
- Mayor, John Estep
- No additional report.
- Auditor, Peggy Brickweg
- The proposed 2017 budget to be sent to the county will have the Public Hearing at 7PM on June 16th.
- The 2014 audit is coming to a close
- Peggy has started gathering the information for the 2015 audit
- ID cards for residents was discussed. Various opinions and no motion to move this forward.
- Peggy discussed putting YTD on the finance reports and Council agreed.
- Law Director, Mike Peck
- Provided Mayors Court report.
- Safety, Jonathan Stutchell
- Reported meeting that he and Fire Chief and (1) firefighter attended in Elmwood on 6/1 at a special council meeting to discuss the increase in frequency that St. Bernard Fire Department responds to Elmwood for ACL medical runs and the cost associated with those runs. Jonathan explained the difference in Elmwood's past staffing model and the current one. There will be an evaluation in 30 days and 60 days to determine if the number of runs made by St. Bernard to Elmwood has decreased based on the change in the staffing model. Jonathan thought it was a very productive meeting. The Fire Chief explained the procedure for calling in the 1st dept. to respond for aide. Felt like the information was well received by Elmwood and things will change.
- Service Department, Tom Paul
- Discussed ordinance for New Packer. Plan is to lease to purchase at the end of the lease. There was discussion as it should be a 5 or 7 year lease. Tom will find out the average life of a Packer and bring that information back to Council for a decision to be made about the number of years to lease.
- Tax Commissioner/Administrator, Rick Moore
- The Tax Department has processed every Tax Return for 2015.
- Treasurer, John Ungruhe
- John provided Council with the receipts for month of April--\$1,131,696.12; YTD through April--\$4,063,400.7
- Finance, Don Tobergte
- Don reviewed the proposed budget for 2017.
- Safety, Ray Culbertson
- Block Watch meeting Tuesday, June 21st

- Service, Steve Asbach- Absent
- Public Improvement, Patty -No Report
- Laws, Contracts, & Claims, Cindi Bedinghaus.

The committee met that night to discuss the Ordinance relative to grass and weeds. Mike Peck had given the committee the Ordinance from Norwood and Cincinnati to review. Tom Paul had Sharonville's information on their Ordinance for grass and weeds. After discussion, Mike Peck and Tom Paul will review our current ordinance and discuss with Robert Evans. They will bring the revised ordinance back to the committee.

- 14. Business and Industry, Andy Kalb—No Report
- 15. Highways & Transportation, Diana Schildmeyer—No Report
- 16. Audience—Lives on Kessler but owns property in St. Bernard and would like to see St. Bernard continue in the direction it has been going. Very positive progress being made.
- 17. Council returned from Executive Session. A motion was made and 2nd to place 2 separate Ordinances on the table for Terms of Employment for the Police Chief and the Fire Chief.

Respectfully Submitted,

Cindi Bedinghaus

COMMUNICATIONS

None.

RESOLUTIONS AND ORDINANCES

None.

OLD BUSINESS

Motion by Mr. Tobergte to go into Executive Session after the meeting to discuss employees compensation and possible litigation. Mrs. Bedinghaus seconded the motion. Motion passed 7-0.

Mr. Asbach – Since I wasn't at the last COW I was watching it and regular court and I was curious what happened to the Ordinance?

Mayor Estep – We were going to discuss that in Executive Session.

Mrs. Schildmeyer - I don't understand why we don't have an Ordinance before us tonight. I've been on Council 4 and ½ years now and this is the first time we put an Ordinance on the table and it's not appeared before us. Council put it on the table last time.

Mr. Stutchell – You can blame me if you like. I don't have any corrected figures that were prepared as far as preparing the Ordinance so as far as that goes whether it needs to be extended or discussed, that's where I'm at.

Mrs. Schildmeyer – Mr. Stutchell, can I ask you where those figures should have come from? Why they aren't here before us?

Mr. Stutchell - I guess ultimately I would have been able to honestly figure some of it out totally on my own, but it was my compensation that would have made a few changes in my proposed figures so I would be depending upon someone else who actually would potentially prepare payroll to do that but I don't have it so I can't help it.

Mayor Estep – And I'll take part of the blame as well. There was an exchange after the meeting and I called people and told them that there was a change and I apologize to Mr. Stutchell and Andy Kalb who put so much time in on looking at the way we compensate the Chief. Since then we have come up with a new plan that we're going to discuss in Executive Session.

Mrs. Schildmeyer - I was never contacted by you personally Mr. Mayor so I don't know exactly what you're talking about and I don't know how, I listen to the Mayor, but if Council put something on the table that was inviting I don't know how you have the ability to change it after the fact.

Mayor Estep - I didn't have your number and I contacted another Council person and asked them to contact you and I didn't ask anybody to pull an Ordinance, I just said I changed my mind on approving it. But I didn't write it and didn't ask for it to be put on the table.

Mrs. Schildmeyer – Mr. Mayor, in all due respect, my phone number is on the website and your secretary has it.

NEW BUSINESS

Mr. Asbach – Tom do you want the packer discussion on the COW agenda as well?

Mr. Paul – Yes.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

Mr. Asbach – Since we're going into Executive Session, the next COW meeting will be July 7th at 7:00pm.

Council went into Executive Session to discuss employment compensation and possible litigation.

Council is back in regular session.

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