

VILLAGE OF ST. BERNARD COUNCIL MEETING

June 23rd, 2022

The St. Bernard Village Council was held on June 23rd, 2022, in Council Chambers.

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

Roll call showed that all members were present: Mr. Tobergte, Mr. Brickweg, Ms. Hausfeld, Mr. Bob Culbertson, Ms. Bedinghaus, Mr. Ray Culbertson, and Mr. Schildmeyer.

A motion by Ms. Bedinghaus, seconded by Ms. Hausfeld, to dispense with the reading of the minutes of the last meeting. Motion passed 7-0. Minutes stand as submitted.

REPORTS OF CITY OFFICIALS

Mayor, Mr. Stuchell- Thank you Mr. President. At this time, I am going to have our consultant, Mark Wendling, come up and give an explanation regarding Ordinance 20, 2022 and also the attachments provided to Council and Administration, to give further explanation and to answer any questions.

President of Staunton Advisors, Mr. Wendling- Thank you Mr. Mayor. As you know we have been conducting this study for a number of months. I had the opportunity to talk to each one of you, to get your feedback and your input, as well as members of the community, CIC, Civil Service, and most importantly, the staff. So, I think I gleaned a lot of really good information about the Village and really what the Village would like to see the structure of the government go toward. The thing that became clear to me was, almost 100% of the people I spoke to, so sort of Municipal Administrator was necessary on a day-to-day basis that was desired. There was some variation as to whether that should be a Municipal Administrator, where the mayor would remain the strong Mayor and have the ultimate say in hiring and firing and decisions, or whether it should go the Council Manager Route. The recommendation I put forward was to do the Municipal Administrator. The reason why I chose that route was because I left like it was the bridge that could get you where you need to go. This is something you can evolve towards over a period of time if you wanted to go the full Municipal Manager Route. That can be something you can do 5, 8, 10 years from now. So, what are the advantages of having a full-time professional Administrator here on a day to day basic, who has the power to contract on behalf of the City, those sorts of things? First, I would think you would look to consolidate the Safety and Service Directors into one position. That would be the Municipal Administrator position. That person would essentially serve as Chief Operating Officer of the city. The Chief Administrative Officer, they would be here on a daily basis. They would supervise staff. They would evaluate staff. That individual would, unfortunately, at times would have to discipline staff. Hopefully that's not very often, but it is at times necessary. The other thing I think the Administrator provides you, is someone who has a background in local government. It is a career they set out for, and it is something they have been trained to do. Whether they came up as an assistant, or maybe they

were a development manager somewhere and they wanted to really be able to grab on to something and really see the fruits of their labors when they are able to redevelop a downtown like St. Bernard. You have a lot of great projects, you are in an ideal geographic location, there is just so much opportunity here. I think it would be ideal position for someone who has that background and really wants to be able to put their expertise to work. The Administrator could also handle the daily HR functions of the city. That is something I have done throughout my career. I have done both development and HR. They would also be the person to negotiate the contracts with the various unions on behalf of the city. So, I think right now, the HR function is being handles by the Auditor, correct Mr. Brickweg? Yes, so, that is something I think you could choose to transfer over to an Administrator. I think there would be capacity for that. The Administrator would also maintain accessibility. So, you want to have someone, if there is a problem, they are here. Someone can come and talk to them, then they could always get in touch with the mayor to help to resolve the problem. Someone the staff can talk to when they are on duty. Someone the citizens could come in and see if they have a complaint or an issue or a concern. I think it really establishes a strong presence on a day-to-day basis. One of the things I think is a challenge, because you are a smaller community, is developing the relationships in the region and at the state level. So, when you go up for an economic development project, where you are competing for a major corporations you are trying to get to come to town, who do you turn to? Who do you work with? It is important to have that relationship established with Ready Cincinnati, with Jobs Ohio. It is important to have the relationship with Ohio Kentucky Indiana Council of Governments. Or the county itself. So, an individual in this role would have the opportunity to really get out and network and really expand the reach of St. Bernard and really promote St. Bernard. One thing they would probably look at would be to implement economic incentive. Whether that would be a tax incentive, tax increment financing district, a community reinvestment area zone, or opportunity zone. Those are all things that someone with that background, I think, would really benefit the community. They would also manage the vendors. So, if you contract for an engineering service, or other types of services, this individual would oversee that process. The vendors would answer to the Administrator. And, as I said before, they would typically recruit, hire and evaluate the staff. They would also work very closely with Ms. Stegman to prepare the agenda for the council meetings. Possibly put together council letters on all the ordinances and various resolutions that you might have pending in front of you. The Administrator is sort of a jack of all trades. Typically, they will have expertise in one or two areas, but they are kind of tie everything else together. I know there are other positions we also talked about. The Auditor and Treasurer position, currently you have retained those in your charter. As elected position, most charter communities do not have them as elected. They typically would consolidate under Finance Director. There would be some benefits to having a full time Finance Director. First off, you would get someone with expertise in municipal finance. I think you are lucky right now that Peggy has a background there, but that in not necessarily always going to be the case. You don't have to have a background in accounting to be elected as the City Auditor. The Finance Director would serve as the Chief Financial Officer. So, that individual would work very closely with the Administrator, would be appointed by the Administrator, with the consent of the mayor. They would be able to provide that expertise, interact with the auditors when they come. You have to have someone that speaks the language, and the auditor can be very very challenging at times. The Finance Director would assist with the annual budget and capital improvement projects. That is one of their big roles, and they would provide accountability to the elected officials through the appointed administration. So, I think a

Finance Director doesn't necessarily, in a community this size, have to be full time. There are communities that have part time Finance Directors and operate very well with them. That would be a decision you would have to make once you make the transition, and once you have a full time Administrator on staff and figure out what those needs really are. Then the other major issue was the elected Law Director. I think the Village has been pretty fortunate to have had people locally who have served that role. That won't always be the case. In a small village it might be hard to find someone with a background in municipal law. So, if you went to an appointed Law Director, I think that would enable you to work with someone who has that expertise in municipal or local government law. If they are a firm, it would also give you a much deeper experience. So, you would probably get attorneys with backgrounds in real estate law. I think that is especially important when you are looking to redevelop certain parts of town. You would have someone who could negotiate those contracts for you. Who understand the development field and how it works. You would also be able to get someone who has a background in labor law. But when you are dealing with unions or you've got a major disciplinary issue, it is really beneficial to have someone who can advise on that who knows what the pitfall are, what you need to watch out for, and what you have to comply with. That give you accountability. Right now, with the elected Law Director, they are accountable to the people every election, but in the interim, if something happens, you may struggle with that accountability. This person would be accountable on a day-to-day basis. So, those are a major things regarding the structure of the governments. I am open to any questions from anyone?

Council Member, Mr. Ray Culbertson- Mr. President, I know we spoke 2 weeks ago about the City Manager and City Administrator, and you said again today that the ultimate goal would be to get to a City Manager, but we have to overcome that bridge. What do you mean that bridge? Also, why is it not good now, but it might be good in 4,5,6 years?

President of Staunton Advisors, Mr. Wendling- When I talked to different people, some people were in favor of an Administrator, some were in favor of the Council/Manager routes. I didn't hear anyone who wanted to stay status quo. So, to me, I think you really do need that daily supervision and structure. I felt like Municipal Administrator is something that everyone can agree on at this moment in time. Going the full Manager route is something you could look toward, but ultimately this is a decision you have to make as on elected body.

Council Member, Mr. Bob Culbertson- Mr. President, thank you. Talking about the Administrator that makes me kind of cringe, and I know the mayor currently has 2 years left in his term, and this is all being appointed by the mayor, my concern is, if Jonathan would lose the race, the new mayor could come in and we could have mass turn over every time we have a mayor change. Going the administrative route, because they are being appointed by the mayor and not approved by council?

President of Staunton Advisors, Mr. Wendling- Well the way I have developed the document, they are appointed by the administrator with the consent and approval of the mayor. So, you are not totally wrong, but I think it would be difficult for a mayor to come in and just start firing people left and right, the way it has been written.

Council Member, Ms. Hausfeld- Mr. President, I was concerned about that as well, but what I read, in order to fire somebody, don't you have to have council's approval?

President of Staunton Advisors, Mr. Wendling- To fire the Administrator you have to have council's approval.

Council Member, Ms. Hausfeld- Ok, so, if there was a turnover in mayor, sorry Jonathan, the only way where that would work, where the mayor could come in and let people go, is if that particular mayor had control of council also, correct?

President of Staunton Advisors, Mr. Wendling- In my opinion, yes that is correct.

Council Member, Mr. Bob Culbertson- Mr. President, just to follow up on that one, but the mayor could come in and decide we want a new CFO or Financial Director, they just couldn't replace the Administrator without council's approval?

President of Staunton Advisors, Mr. Wendling- The way it is written, the Administrator would hire and fire, with the consent of the mayor. It would be challenging for a mayor to just come in and decide they were going to clean house. That is my opinion.

Council Member, Ms. Hausfeld- Mr. President, the way I just understood it though, could a mayor come in and just get rid of the Administrator?

President of Staunton Advisors, Mr. Wendling- No. Not the way the Charter is written.

Council Member, Ms. Hausfeld- That has to have approval of Council?

President of Staunton Advisors, Mr. Wendling- That has to have approval of Council.

Council Member, Ms. Hausfeld- The only way that could be is if the mayor has control of Council?

President of Staunton Advisors, Mr. Wendling- Yes.

Auditor, Ms. Brickweg- Mr. President, can I as a quick question? Wasn't it discussed, and maybe this will help, that if we went to this form the employees would have a contract? They are not appointed; they are actually hired employees. That was one of the other things, that they would be a hired employee. Am I correct? I know they use the word appointed, but some people think its appointed by every new mayor every time. They would be hired with a contract.

President of Staunton Advisors, Mr. Wendling- Sure, yes, they would be employees of the municipality. They would not have a contract, just an employee of the municipality. Any termination of an employee would have to go through the process. Which would typically take progressive discipline. There would be a whole lot that would go into the process when you have a professional form of government.

Council Member, Ms. Bedinghaus- Mr. President, so what about the hiring? Would that be approval of Council?

President of Staunton Advisors, Mr. Wendling- Under the Administrator? Yes, it is. The mayor would do the interviews, he would recommend to council, council would have to approve. It would be up to the mayor if you wanted to involve someone from council in the process but hiring and firing requires approval of the council.

Council Member, Ms. Bedinghaus- Then there are two positions I still do not have clarity on, we have a Tax Commissioner and a President of Council/ Vice Mayor. So, where are they fitting into all this? I read about a Tax Commissioner, or a Tax Administrator, I guess that would be hired by the Finance Director?

President of Staunton Advisors, Mr. Wendling- They would ultimately be hired by the Administrator. The way I have it structured, the Tax Administrator, well the Finance Director would be the Tax Commissioner, which is pretty typical in most municipalities. Then there would be a Tax Administrator who would be the one who would over see the day to day of the tax department.

Council Member, Ms. Bedinghaus- Ok, and what about President of Council?

President of Staunton Advisors, Mr. Wendling- President of Council is something I think is up to you. Whether you would like to retain that position or not. Most charter communities do not have a President of Council, but that is your flavor. Whatever you would prefer.

Council Member, Ms. Bedinghaus- I think what I read in here is that the meetings would be directed by the mayor.

President of Staunton Advisors, Mr. Wendling- If you went the full route. In front of you, there are two different charter minutes. One would be the structure of Village Hall professional staff, the other would be the status of the elected officials, and council, whether you wanted to keep wards, or go to elected all at large, whether you wanted to go to four-year staggered terms, those are separate issues for you to decide on.

Mayor, Mr. Stuchell- Mr. President, personal opinion on how our meetings run, kudos to you Mr. President for being able to maintain a decorum between administration and council. I personally think having the mayor run the council meetings is not a grand idea. I think that having someone off or between the two, because there are times where there is deliberation between council and the mayor, I think it would be rather awkward especially if the mayor is running the meetings. I just think it is a conflict. I think the President of Council can maintain a decorum if we are having a deliberation.

Council Member, Mr. Tobergte- Mr. President, one thing on the administrative officers' departments, it says, Council by a majority vote of its members. I'd rather it be a 3/4th super majority of its members, not just 5 people could vote to get rid of somebody.

President of Staunton Advisors, Mr. Wendling- That is something you can certainly add to the ordinance. That can be added and modified.

Council Member, Mr. Tobergte- From me working around the city, 75 to 100 people came up to me and said, "Why not rip the band aid and go straight to Village Manager instead of Village Administrator?" They'd rather see it go in one full step rather than do it this way for awhile and maybe we will change it, or we won't.

Auditor, Ms. Brickweg- Mr. President, what percent did you say? Like 75?

Council Member, Mr. Tobergte- 75 to 100 people have talked to me, I did not say a percentage.

Auditor, Ms. Brickweg- If we do that, I don't think it will pass, because the staff is terrified of a City Manager right now because they hear what happens. So, I'm just saying, if we did this as a baby step, I think it will be more accepted. I think that is too sharp. That's just my personal opinion, but I have heard from a lot of the employees, and they have all told their families, I don't think you have a chance of it passing if you do that. They are scared to death of a City Manager coming in here, not working with the mayor, and doing whatever he wants, and they don't trust people on council, and that scares them.

Council Member, Mr. Brickweg- Mr. President, I'm new, but what Mark is saying and what I like is the Administrator is the initial step versus not locking into the City Manager, which is full on if you will, which takes away the power of the mayor. I think a lot of these people in the meeting that we have had, I know I've been to one, and the people really do like our strong mayor and our small-town feel. So, I have to disagree with Don. I like the idea of the City Administrator. As Mark was saying, if it starts gelling, 3,4,6,8 years down the road, then go to City Manager if that is what the people want. I'm more in line with the City Administrator where our mayor stays a strong mayor versus locking into the City Manager right off the get go, which is all new to us.

Council Member, Mr. Tobergte- Mr. President, well Kurt, I disagree with you. We talked about town hall meetings, getting people together, when is that going to happen? To me, we've got framework here, but we don't know what the public wants. I'm hearing one thing; Peggy is hearing something else. Before we put anything to a vote, I think we should have town hall meetings.

President of Staunton Advisors, Mr. Wendling- I would respectfully disagree with you and here is why; one of the things you are elected to do is represent the people and put these issues before them. I think if you take this to the entire community, it would be very difficult to get everyone to coalesce behind one thought. I think you have to take it to them, this is the proposal, and then you have to sell it, and that's when you have the town hall meetings. Once you put it on the ballot, then you get together, have the town forums and you explain why and the reasoning behind it, and do what you have to do to sell it to the people and explain why this is a good thing, why it will benefit the Village, and why it will make things better. I would encourage them to look around. Who would have ever thought the City of Silverton 20 years ago would be looking today like it does? I mean, it had a downtown, it was faltering. Today, they have a \$40 million

developing going, their old city hall is a brewery, and they have a brand-new city hall. Montgomery road looks really vibrant. I think that is something an administrator can really help. St. Bernard is in a much better position than Silverton was 20 years ago, but I think there is just so much potential here and I think you got to have somebody who can promote the village to the greater community. I hear what you are saying, but I think you've got to represent it, get behind it, and sell it.

Council Member, Mr. Bob Culbertson- Mr. President, just two questions, with Silverton, they are a City Administrator versus and City Manager?

President of Staunton Advisors, Mr. Wendling- They are a City Manager form. That is correct.

Council Member, Mr. Bob Culbertson- Ok, and the second thing, do you have an example of towns or villages that went from strong mayor to a city administrator versus a strong mayor to a city manager that could kind of lead us as an example of this is how they did it, here is what they liked, here is what we didn't like? You said Silverton is doing all these great things, but they have a City Manager, I just want to make sure we are doing our due diligence instead of just throw something out and try to get behind it and promote it for November.

President of Staunton Advisors, Mr. Wendling- Sure. So, I'll start with Silverton, back in 1998 or 1999 they went into fiscal watch. As it turned out, they came out of fiscal watch faster than any other community in the history of the state. The reason for that is because they had money, they just didn't have anyone on staff that knew how to budget it properly. They were paying every bill they got out of their general fund. The Auditor allowed them to pay for all their municipal road expenses out of the municipal road fund on a one-time transfer. So, when that happened the community really wanted to get somebody on staff from a day-to-day basis that could serve that roll. That could provide that professional oversight. When they first created the position they called it Municipal Administrator, they did not use City Manager. To be fair, they always had a council/manager form of government, but they wanted to transition, similar to what you are saying, they were afraid people would not vote for it if it was the full council/manager form. They called it an administrator initially and changed it a year or two later. Other communities regionally include Springdale, which is a strong mayor form of government with a city administrator, it has worked there for probably 50 years. It has done very well for them. You may have read recently they are getting ready to totally redevelop the Tri County Mall. That will be a really interesting, nice project, desperately needed in that community. But it is a form that has served them well. Any form of government you go to is going to have its own set of challenges. In a council/ manager form sometimes that challenge can be a council. If the council becomes divided within itself, it could be very difficult for that manager. In the strong mayor form, if you have a strong mayor and a manager that don't see eye to eye that can be challenging also. So, it really depends on the community and the political culture. Another community that has recently evolved away from a statutory form is Deer Park. They are going the full council/manager route, but that is something they went to at the beginning of this year, but that is something they were thinking about for a very long time.

Council Member, Mr. Schildmeyer- Mr. President, so one of the things that you didn't mention was changing the composition of council. Do you have any feedback on that? As to why you are recommending that?

President of Staunton Advisors, Mr. Wendling- Sure, I think St. Bernard is a small enough community that you are never going to have a situation where a certain neighborhood will not be represented. Everyone knows everyone is St. Bernard. So, it would be really hard to say, "you're not in my ward, I don't have to worry about you." I think that going to an all-At Large system you would probably get greater diversity within the community. Not necessarily ethnic diversity, that might be part of it, but you would have to worry about having somebody to run in this ward. For example, in Fairfield, where I used to work, we had ward 1 and had to search for someone for almost every election to run in that ward. It was a ward of about 10,000 people. It could be very difficult at time to find someone to fill that ward's seat. That is really the primary aim behind that part. One other thing I did talk about was going to four-year staggered elections. What I see in that is it would provide continuity between the administration and council. So, you are not going to have council voted out all at one time. You would have continuity and that brings greater stability at City Hall.

Council Member, Mr. Schildmeyer- Mr. President, I've talked to some people, not 75 but maybe 10, and that is the one thing that people I have talked to disagree with. They want one person that represents them. Then as a side bar, there are concerns that at times, council can be more of a popularity contest that it shouldn't be already, and they think that would make it worse. So I do disagree. I also pretty strongly disagree that we shouldn't pull the public before we do this. One thing I hate is when a politician tries to tell me what's good for me and sell me without asking me. I think that would be a mistake for us to do that.

Auditor, Ms. Brickweg- Mr. President, I'd like to make two comments here. First of all, the public does get an opinion, they vote. You can put this on the ballot and if they don't want it, they vote no. I did it once, and they voted it down. You are all elected to make decisions. This is a decision, then you see if the citizens want it, if they don't then they vote no. I was at your meeting, it was a good meeting but, it's the same people that come to every single meeting. We didn't have many extra people than normal, and we all know that's the way our meetings go, it's the same 20 or 30 people. I can just see all the arguing going on because that is what usually happens at those meetings. The public does get a say, and I am going to be very addiment about this, I was ward 2 for 8 years, and I worked in all the other wards more than half the times than my ward, my husband used to tease me about that. And the idea in the last 3 or 4 elections, was every ward ran unopposed. How do we say we are giving the resident a say when we can't even give them 2 people to vote for? It's here is your person, and that is who you are going to get. We all know its not going to get any better. There is no way its going to get better staying in wards. Its going to be the same people walking in and just having a job. I ran unopposed once and I hated it. I felt like I didn't deserve to be there because the people didn't even really pick me. With a small community, you can work all over like I did. There was plenty of stuff in another particular ward. I just think it's a shame we have so many unopposed seats. Just my opinion.

Council Member, Mr. Schildmeyer- Mr. President, I'd like to respectfully disagree with all of that. I think the reason we have had position run unopposed in the last couple years has a lot

more to do with the fact that we don't have 2 parties anymore than it does people not getting a choice. I think if people thought Ray wasn't doing a good job, they'd run against him. I think they think he's doing a great job, so they don't run against him. The reason I didn't run when Kelly was in my ward was because he was doing a great job, and when I would call him, I know he would go fix it. I also really disagree that we should make decisions without asking the public. I think that is a mistake. I don't think my job is to make the decision for them, then hope they vote for it. This is too important, and I want to know what they think so it does pass. Not to hope what I think is what they want then to have it pass or fail.

Auditor, Ms. Brickweg- Mr. President, I get what you are saying about asking people, but anybody correct me if I'm wrong, but have we not been talking about this for at least 10 years? At least? Yes.

Council Member, Mr. Bob Culbertson- Mr. President, I'm hearing a lot of people say, go the city manager route. I don't want to put a city manager out there, then they say, "oh we should have went the administrator route." Because, right or wrong, I have a group of people that feel comfortable reaching out to me, but there might be larger audience that only sees me on TV that don't come up and approach me. They might feel more comfortable coming to town hall meeting. I do agree with your point.

Auditor, Ms. Brickweg- Mr. President, and they are. I would never say not ask the public, because God knows I'm always asking the public. But what I'm saying is, we have all been discussing this for over 10 years and we all kind of know what the public wants. Then we hired a professional, to go out and look. He talked to multiple other city managers and city administrators to come up with this. My biggest fear is, if we don't get this by next election this city is going to be in a tough place because I know there are multiple people who are not going to be running. So, what are you going to do if you don't have other people running for certain position, and you have not gotten this straightened out? Now, if you want to postpone it for after the November ballot, which I don't agree with, you can have a special election which people hate even more. Now, they do cost money, but it is an option. If you are willing to pay \$10 to \$15 thousand for a special election you could. The nice thing about the November one, we don't have to pay for it, and pretty much everyone goes out to vote in November. I am just going to say this, I've watched people move to wards when they know they are going to run unopposed. And I think your point of not having political parties goes the opposite way. I ran on my own. I was the first one who ran independent, and I had to pay for everything. When you have a party, they pay for everything, do your bookkeeping, they make it easy. When you go out and try to get people to run independently, it freaks them out, like oh my god, how am I going to do it. I showed Patty how to do it. So, yes, the political party does a lot of the work for you, and they pay for a lot of your stuff too. If we don't have the political parties, it just going to get worse.

Council Member, Ms. Bedinghaus- Mr. President, oh go ahead.

Council Member, Mr. Schildmeyer- Again, I understand what you are saying, but again, I have not been talking about this for 10 years. In fact, I've had about two discussions. One, when you interviewed me, the other is when people have brought up, we should do this. This is new to me, and I am hearing concerns from people about making a drastic change. I think the question will

be, if we have been talking about it for 10 years, why are we rushing it the last month and a half? We have public meetings on things far smaller and less important than this. I think it's a mistake to not ask people what they think.

Council Member, Mr. Tobergte- Mr. President, if we decide to put this on the ballot, will this be one vote for everything? Or would this be separated out?

President of Staunton Advisors, Mr. Wendling- I would recommend you separate it out to at least 2 different ballot issues. One would be the structure of city hall. I think that has to be one. It would be very difficult to do the administrator, but not address the auditor and treasurer positions along with the law director. I think those need to all be in one amendment. The other part could be a separate amendment including multiple amendments if you want it to be. Or you could decide not to address the other part at all right now. In my opinion, the most important thing you are facing right now is the structure of city hall. I think that's what really needs to bulk of your attention right now. If you wanted to defer the other parts until later, that wouldn't be the end of the world.

Council Member, Mr. Tobergte- Mr. President, so you are saying one for the structure of city hall, but could you keep law director as elected, not appointed?

President of Staunton Advisors, Mr. Wendling- You could do that, I don't recommend that.

Council Member, Mr. Tobergte- I'm saying, if we do it all on one thing, if we are going to do the city manager or administrator, the chief financial officer, and the law director all as one vote, they would vote yes on all three at once?

President of Staunton Advisors, Mr. Wendling- That is what I would recommend.

Council Member, Mr. Tobergte- So, that could sink the ship if people want to keep them elected?

President of Staunton Advisors, Mr. Wendling- It could, but its very difficult for an administrator to come in when they don't actually have control over those areas of the city and how the city functions.

Council Member, Mr. Ray Culbertson- Mr. President?

President of Council, Mr. Asbach- Hold on once second, Ms. Bedinghaus had something.

Council Member, Ms. Bedinghaus- Mr. President, Mark I just have a question for you. In your analysis, you did state in here that is the Village decides to go through with the recommendation of the analysis, it would be beneficial to conduct a comprehensive survey of the community. You suggested a couple things, Survey Monkey, and then a couple other ways. I thought you were recommending we do the survey and get the opinion of the public?

President of Staunton Advisors, Mr. Wendling- That is something you can certainly do. I think that would take time. I don't really like the Survey Monkey; the reason why is because I think it

is difficult to get validated results. If you wanted to go the other routes my preference for you would be Cincinnati's Rademacher Center or Eric Rademacher is the director, but that is not free, but they do a very good job. Miami University does something similar, they usually deal more with townships. That one used to be free, I don't know if it still is, but you do have to get on their schedule which could take a while. There are options for you if you wanted to do the survey. I think the community survey would be valuable to finding out how people feel about the Village right now. It doesn't need to be about this issue. It could be what do you see as the Village's strengths? What do you see as its challenges? What would you like to see happen in the Village over the next term?

Council Member, Mr. Tobergte- Mr. President, I know I'll get laughed out of here but what is Survey Monkey? I'm an old man, I don't do computers much.

President of Staunton Advisors, Mr. Wendling- It's a tool you can use online. Just about anyone can develop a Survey Monkey program and push it out to the public. You can do it via email or there are a number of mechanisms to push it out there, but again they are not really using anyone who has that expertise in how to develop a validated survey. So, when I say validated, you are surveying enough people in the community to withstand legal scrutiny. That is what is important if you are going to do a survey, is a true representation of the community at large.

Auditor, Ms. Brickweg- Mr. President, I do have a couple suggestions. It sounds like you really want to have some meetings. So, the first suggestion, you could vote on the first reading tonight and have meetings in between since it will take till August, so you could change it or table it. Or you could do a special election. But just remember people don't like that. But if we feel that strong and want to have some town hall meetings, I would suggest doing one or the other.

Council Member, Mr. Ray Culbertson- Mr. President, we need to do what we have to do to get it on the ballot for November. I hate the idea of a special election because of the limited numbers. It's nothing to do with the finances of it, that stinks too, but anytime you have a special election it's like you are sneaking something through on people. That is the general feeling. You know when we did the schools, well we won't get into that. I'd be opposed to a special election. I too am in favor of having public meetings. When can't we call special council meetings if we have to before committee of the whole? You know, to give it its three readings. There are things we can do and still have it for November. I do not want to exclude the community to at least have an opportunity. You know how well the meetings went for the properties down at the shopping square. We had the biggest turn out we have ever had for meetings. People are interested and they are following so we owe them the opportunity to speak to us.

Council Member, Ms. Hausfeld- Mr. President, to get this on the November ballot, when do we need this done by?

Mayor, Mr. Stuchell- Mr. President, it was my understanding, I thought it was August 10th we had to have it delivered to the Board of Elections.

President of Staunton Advisors, Mr. Wendling- That sounds correct. It is 90 days before the date of the election. And, if I can just add, you could do the primary. That's not a special election, and

if you decided you didn't want to do the general election this fall, you have the primary in the spring. I would argue again that you do get more issue-oriented voters at the primary but at the general you do get more of the broader community. The general is always the one I have preferred to put an issue on the ballot. You are just more likely to get more voters.

President of Council, Mr. Asbach- I am going to bring up one thing. Mr. Brickweg said something before that jarred my memory. I was not at the COW for the presentation, but I did watch on ICRC website, Ms. Neison came up and her opinion was, they were elected as the charter commission, that they are still in place until they are voted out by another one. I am just asking the question before we get too far in, a lawsuit or anything like that, that we are trying to do? Is that election commission still valid? It was brought up at the COW and Peggy reminded me when she said it was a good meeting. Her opinion at the time was they were elected back when we first did the charter, and as far as she was concerned, they were still elected until there was another charter commission, and they were voted out. Just throwing it out so we don't go to all this work and have it all backfire on us.

Council Member, Ms. Hausfeld- Mr. President, I know she was on the original one, but I remember attending a meeting that Mayor Estep had, and he has some sort of committee together too.

President of Council, Mr. Asbach- Correct, Ms. Neison was saying that they were all elected. That was her contention at the meeting. I was just throwing it out there, so we don't do all this work for nothing.

Council Member, Mr. Ray Culbertson- Mr. President, I remember that too, and at that time, Mayor Estep just had his own committee to try to move forward but Marge argued then that the charter commission was still in effect. She brought the whole list of the signatures, I remember we tried to make out the name son who was who on her little forms, and she claims that is still the governing body of the charter. It's never been changed.

Auditor, Ms. Brickweg- Mr. President, her chart, I don't know how to say this nicely, a lot of them have passed away, and a lot of them have moved out of town. So, I don't even see how. I know what you are saying but there might only be four people left.

President of Council, Mr. Asbach- I am just asking the question. It does need to be addressed so that something doesn't cause a problem.

Mayor, Mr. Stuchell- Mr. President, we did actually contract with legal counsel and that individual is guided through the process as well, as far as with our consultant, Mark. So, that was addressed in their recommendation on how to do this, but if there is a disagreement on that, that was addressed.

President of Council, Mr. Asbach- Ok, I just didn't hear a yay or nay at the COW. She was not answered at the meeting, so I was not sure if that was still in limbo.

President of Staunton Advisors, Mr. Wendling- To your point Mr. President, the charter does not have any provision for a charter commission at all. Currently it doesn't exist. According to the legal counsel that Mayor Stuchell is referring to, if it's something that would have to be part of the charter? I can't answer that, I am not an attorney. I suspect what happened was once they did their work; their work was done. That is something if you wanted a follow up opinion you could certainly seek that. There is a provision within the Ohio revised code that does enable you to submit, as a council, issues to the ballot. So, you do not have to have a charter commission in order to do it.

Auditor, Ms. Brickweg- Mr. President, I put something on the ballot, and when I did that, I don't remember how long ago that was, but it was to make it four-year terms, and I talked to the Board of Elections, and I had to get signatures to put on the ballot, that was it.

President of Council, Mr. Asbach- Anyone else? Anyone is the audience that has any questions?

Treasure, Mr. Ungruhe- Mr. President, I was wondering, I see all the position that will change, has anyone a cost analysis to determine how much this is going to help or hurt the finances of the city?

Council Member, Mr. Tobergte- Mr. President, any clue what a chief financial officer, a city administrator or city manager demand in salary?

President of Staunton Advisors, Mr. Wendling- Village Manager depending on the level of experience you wanted, I think you are looking at \$100 to \$130 thousand a year for a village manager or administrator if you wanted someone with pretty deep experience. The finance director in my opinion could be part time, so you'd have to decide what you think that is worth, probably around \$60 thousand a year. Here's what I would tell you, the position should pay for itself. That is the goal when you bring in a manager is administrator. They should be bringing in money that you were not going to get otherwise. That position should pay for itself multiple times. That is what a good manager or administrator and finance director is going to do for you.

Council Member, Mr. Tobergte- I agree with you 100%. I have been fighting for this since I have been up here.

Mayor, Mr. Stuchell- Mr. President, originally in this calendar year's budget, I had allotted funds to hire an economic development director because we do not have it. We do not have that representation. The current structure, and this is no disrespect to Mr. Paul because he has handled everything that he has been tasked to do very well, but we do not have anyone currently within City Hall to represent us at the table for Hamilton County. We are missing out. So, looking at the funds we already budgeted for, we are wrapping this all into one. Which I believe would be more effective with having someone who can handle the economic development, the HR, the budgets and all of that, and having one individual that you would answer to. It would be well worth it, and we would be above and beyond our current budget. That can also be mainstreamed with the village administrator, who would totally be responsible for managing that.

Council Member, Ms. Hausfeld- Along the same line, as far as having a law director elected versus a firm hired, what ballpark are we looking?

President of Staunton Advisors, Mr. Wendling- I think it depends on a lot on what you expect of your law director. So, not every community has their law director at their council meetings. You'd have to make a decision about that. My recommendation would be to have your law director at your council meetings. I think it would also come down to going out to bid on services and you wouldn't necessarily get the basic professional services on the lowest bid, but you would want to see their qualifications. There are certain firms around town that specialize in municipal law. You'll probably get within a range, might be a broad range. I don't know what that figure is, but I think, similar to the managers, having those individuals available to you really makes everything else easier, and when I say easier, I mean more expeditious. It will make developments easier to accomplish and easier to do. A lot of what you will have to do in St. Barnard is the civil properties. That is a very difficult, a very tedious process. So, those are some things that having that legal expertise can really benefit you when you are going down that road.

Council Member, Mr. Tobergte- Mr. President, Valerie, just to put you on the spot here, I know in the budget, what is it \$70 thousand approximately for outside legal?

Auditor, Ms. Brickweg- Mr. President, we actually took it down this year. I'm not really sure, but I was going to say that you'd have to look more at just a salary there because we do have all the different services line items that we use. I think we took professionals down to \$25 thousand this year.

Council Member, Mr. Tobergte- Approximately how many hours?

Law Director, Ms. Van Valkenburg- It depends on what you are asking me to do. I field phone called I don't report on. I get inquiries from people that don't necessarily need responding to for council. It really just depends. Working on legislation, I spent a billion hours, and the discrimination ordinance that ultimately came to not as much as we hoped. I would have made more money an hour working at Wendy's, based on the hours I put in. There are questions that come up and it takes me some time to research. Just because you hire somebody who has a municipal law background, doesn't mean you won't need outside counsel for other things. So, I don't know what it would cost on a year basis.

President of Staunton Advisors, Mr. Wendling- A lot of it would be based on what project you have going on, how much legal counsel you would require to get that project done. In some communities I have worked in, the legal budget has been a lot higher just based upon those sorts of things, or even lawsuits.

Law Director, Ms. Van Valkenburg- Mr. President, for example, when Curtis was Law Director, the Bank Ave issue was running hot and heavy. He spent hours and hours and hours away from his private practice, consulting with consultant, working very closely with the outside counsel because it was an environmental issue, it required specialized counsel that cost much more than

your run at the mill attorney might do. He spent hundreds of hours over months of time dealing with things like that. It really does depend on what is going on.

President of Staunton Advisors, Mr. Wendling- You would more than likely have a retainer for basic services, and that would be set on an annual basis, but other things might cost more, and I think you currently have that situation when you have to get outside counsel.

President of Council, Mr. Asbach- Anyone else? Thank you very much. Good. Still your report Mayor.

Mayor, Mr. Stuchell- So before I read my report, so the next step would be making a decision as to what direction council proposes to go. So, whether we move forward or not for the goal of this fall, or whether or not it be special election, whether or not it be moving to the spring. That somehow has to be decided. Do we move forward with putting the proposed ordinance on the table? Or whether or not we postpone? One direction has to be decided because time is of the essence if we want to prepare for fall. If not, then the decision can be made as to somewhere along the calendar year.

President of Council, Mr. Asbach- May I make a suggestion? Whether council decides to give it its first reading, you can discuss at COW, get everybody's feel at the COW, then you can either suspend the 2nd and 3rd reading in July, or have a special meeting if you wanted to, or go all three, but at least that way it will be discussed at the COW. No one would have to make a decision tonight not to do it. Give it the first reading then discuss more at the COW. It would give council 2 weeks to think about it, just a suggestion.

Mayor, Mr. Stuchell- Thank you again for taking the time to consider the recommendation by our consultant Mark Wendling. As you are probably already aware of the increased police responses to the Village of Elmwood Place. I have started some dialogue with their Mayor and Council about the need to address their current situation so that it is no longer a burden to our department and community. I will keep you all informed as to how this progresses but there are options that could be explored where we could potentially go under contract to provide service to their village. Something has to be done and if we are already responding because of our mutual aid agreement then we might as well explore how we can be compensated just as we did for Emergency Medical Service. Chief Simos and I met with the representatives from the St. Bernard Elmwood Place School System regarding the establishment of a School Resource Officer position. We will be moving to partner with the district to establish the position where they would pay for approximately 75% of the officer's compensation/benefits. A draft of contract is currently underway for both parties to review and then it will be presented to council as well. This is a much-needed position, and I couldn't be more grateful for the district in their willingness to partner on this. I would like to put on the agenda for the next COW meeting to discuss this further and also the possibility of an MOU to adjust the compensation of lower step employees at the Service Department. Lastly, mark your calendars now for the big grand opening celebration on Saturday, June 25th at 3pm at the Community Garden. There will be light refreshments and a chance to meet your fellow gardeners and other residents. I just had a meeting with the garden club, and they would love to have members of council come to see how this has progressed. The St. Bernard Garden Club is truly proud of what they have done.

Council Member, Mr. Bob Culbertson- Mr. President, so, Jonathan, you were talking about the mutual aid contract, how is the fire going? I know we entered into an agreement where we got paid per run, and I've seen articles on their financial situation, any concern about that?

Mayor, Mr. Stuchell- Mr. President, as far as the fire situation, we are being paid. They are paying their bills. What I would rather do is, on the fire side, for EMS responses, we are actually in the process of looking to see how we could potentially their community and ours as a whole, which could benefit us from a manpower situation. Basically, what Village is receiving from St. Bernard is a full response when there is a fire. So, we are there even when it come to putting the fire out, and that is based on the mutual aid agreement. Same thing on the police side. When they can't make a response or a run we are responding. In the mutual aid agreement, we make ourselves available. That's what any good neighbor would do. So at this point, if we can't work out a way, based on the fact that they did just pass a levy for safety and services, if we could look at their overall budget that they have in their general fund for safety and services and what they are getting on the levy, there might be some way it could benefit both communities. It is at least worth the option of developing some kind of dialog instead of just continuing to make the responses and not receiving anything. The mutual aid agreement does not allow for us to charge. The only way we can be compensated for it to go under contract for services like we did for EMS responses. So, what I am looking at is at least developing a dialog that say, "hey look, what would it take for us to just take over?" I'm not talking about taking over Elmwood but taking over policing and charge them for it. If we can come up with the proper amount based on manpower, which we are already covering that, we might as well be paid. It would not make it definite but at least have a discussion.

Council Member, Mr. Bob Culbertson- Mr. President, just a follow up question. From a staffing standpoint, are we running the risk of having our police and fire in Elmwood responding, do we have enough coverage?

President of Council, Mr. Asbach- Are we going to continue to talk about this? We can place it on the agenda for the next COW. We are out of order here.

Mayor, Mr. Stuchell- Mr. President, we are already there anyhow, because of the mutual aid agreement, we are already there. So regardless of my conversations, we are already there. If there is a run right now, we are already going to be there. So, I might has well discussed it to try and correct the situation.

Auditor, Ms. Brickweg- Thank you Mr. President, you are not going to like this but sorry. I was going to suggest before you put Ordinance 20 2022 on the table, I don't think it would take that long to ask everyone their opinion. All we would do it put it 2 more weeks down the road when we don't really even know what we are doing. At least we would have a feeling of what we want to do and have some public meetings in the meantime. I do not want to see us waiting another 2 weeks waiting to discuss something again. I understand the first reading, I think that makes sense, but I think everyone out there kind of has a sense of that they want, and you can do it at the first reading of Ordinance 20, but it will give him some insight as to where to progress towards. The Auditor's office had prepared Ordinance 19 2022 for tonight's meeting, this ordinance transfers \$700,000.00 from general fund transfer out with \$400,000.00 going into

general bond cash retirement account and \$300,000.00 going into the employee health plan cash account. It also provides an additional appropriation of \$4,000.00 to the Bureau of Inspection, and that is because they increased our amount of our audit partially due to all the covid funding. Also, into computer systems for \$900.00 as was reported at the COW by Tommy Paul, it is to buy and additional year of the Go Daddy account. That concludes my report.

Law Director, Ms. Van Valkenburg- Thank you, you were asking, Mr. President, about the charter commission, I have not seen a report, if there is in fact an official opinion, from outside counsel. I would be happy to review that. If there is, I will report back to council if that continues to be a question. Otherwise, I have no report at this time. I would like to request we go into executive session at the end of the meeting to discuss ongoing litigation, the Matthews matter, the Norton Advertising matter, and the Nicole Klungle matter. Thank you.

Treasurer, Mr. Ungruhe- Thank you Mr. President. This evening I have the statement from First State Bank. Our balance there as of May 31st, 2022, is \$5,666.99. That concludes my report.

Safety and Service Director, Mr. Paul- Thank you. In the famous words of my dear friend Wally St. Claire, progress. To my community, I mentioned to you in the past about the panty of the mind. Many of us forget to take stock of the things that keep us healthy. I noticed that a “can of care” was about to expire. This needs to be replenished. How is it possible that care became a hard to fine item? All that I could find is large jar of love and care. Now you wonder will that go to waste? I don’t think so because sharing is caring. And if sharing is caring then if you share you will restock the shelves of the universe with care again. Besides, a box of “I don’t care” can be quite costly. That concludes my report.

Tax Commissioner/Administrator, Ms. Helmes- Thank you Mr. President. Just to recap the taxes for May 2022. That concludes my report.

- Tax collections for May \$677,518.59
- May 2022 is down -10.32% from May 2021. This is largely due to the tax filing due date being May 18th last year. It went back to April this year.
- Tax refunds for May: -\$15,810.95
- Delinquent tax collected with Capital Recovery: \$954.22
- Delinquent tax collected with the Ohio Attorney General’s Office: \$31,323.64
- Taxes paid through the e-file portal: \$2,780.73

REPORTS OF STANDING COMMITTEE

Finance, Mr. Tobergte- No report.

Motion made by Mr. Tobergte, seconded by Ms. Hausfeld, to go into executive session to discuss pending litigation. Motion passes 7-0.

Safety, Mr. Brickweg- Thank you Mr. President. Tonight, I would like to read the monthly report for the Fire Department for the month of May. Fire incidents/ structure fires with 5, other fires 2,

vehicle fires 0, auto accidents 7, hazmat incidents 2, service calls 6, fire alarms 7, CO alarms 0, EMS assists 19 with a total of 48. Mutual aid given in fire, we had 2 to Norwood, 7 to Elmwood, 1 to Lockland, and 1 to Mariemont. Mutual aid received in fire runs; no mutual aid received. On the EMS side, we had 56 transports, 39 non transports, for a total of 95 EMS runs. EMS mutual aid given, Elmwood 2, and Norwood 4 runs. Elmwood Place contract incidents, there were 14. EMS mutual aid receives, we had 1 from Lockland. Also, the annual hose testing has been completed, and Diversity Training has been completed by all members. That concludes my report.

Service, Ms. Hausfeld- Thank you Mr. President. I have a couple reports to give tonight. The Village of St. Bernard diverted 421.15 tons and achieved a 154.3% diversion rate for 2021. Our community will receive a direct deposit check in the amount of \$6,801.94. That was from the Hamilton County R3Source. The next report is the waste collection for the month of April was \$28,787.61. I also have the report for the Service Department for May 2022. We had 36 trucks at residences, 22 dumpsters at residences, 136 special pickups, and 227.96 tons of garbage taken to the landfill. The recycling report has 33.840 tons of recycling materials, 148 pound of scrap aluminum, 69 pounds of aluminum cans, 175 car batteries, 17 pounds of brass, 22 pounds of cast iron, 10 pounds of copper, 4,000 pounds of scrap metal. That concludes my report.

Public Improvements, Mr. Bob Culbertson- Thank you Mr. President. CIC will meet this Tuesday at 6pm in council chambers. That concludes my report.

Laws, Contracts, and Claims, Ms. Bedinghaus- No report.

Marketing, Mr. Ray Culbertson- Thank you, there will be a pre-sale of the German Luau merchandise on Thursday, June 30th from 6-8pm at the main office at City Hall. Please mark your calendars now for this year's luau event which will take place Friday, August 5th from 5 to 11pm and Saturday, August 6th from 3 to 11pm. That concludes my report.

Business & Industry, Mr. Schildmeyer- No report.

Committee of the Whole, Ms. Stegman- Mr. President, the minutes for the Committee of the Whole were submitted Tuesday the 21st. There are no communications.

ORDINANCE 18 2022

AN ORDINANCE APPROVING THE EDITING AND THE INCLUSION OF CERTAIN ORDINANCES AS PART OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF ST. BERNARD, OHIO, REVISING THE TRAFFIC, GENERAL OFFENSES, AND FIRE PREVENTION CODES TO COMPLY WITH STATE LAW, AND DECLARING AN EMERGENCY.

Motion made by Ms. Bedinghaus, seconded by Ms. Hausfeld, to suspend the second and third reading of Ordinance 18 2022.

President of Council, Mr. Asbach- Any remarks?

Council Member, Mr. Tobergte- Mr. President, well Valerie, to add to your workload, the Fire Prevention Codes, the part about the fireworks definition, so the State of Ohio has changed their laws on fireworks, people are complaining, does our law still hold?

Law Director, Ms. Van Valkenburg- I am going to have to look into that, and I'll get that back for you for the next COW.

Motion passes 7-0.

Motion made by Ms. Bedinghaus, seconded by Mr. Ray Culbertson, to adopt Ordinance 18 2022.
Motion passes 7-0.

ORDINANCE 19 2022
AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS AND
PROVIDE ADDITIONAL APPROPRIATION AND DECLARING AN EMERGENCY.

Motion made by Ms. Bedinghaus, seconded by Ms. Hausfeld, to suspend the second and third reading of Ordinance 19 2022. Motion passes 7-0.

Motion made by Ms. Bedinghaus, seconded by Mr. Ray Culbertson, to adopt Ordinance 19 2022.
Motion passes 7-0.

President of Council, Mr. Asbach- Members of Council, what is your pleasure on Ordinance 20 2022?

Council Member, Mr. Tobergte- Mr. President, I'd rather hold off until at least the COW to see if we can get a town meeting going, either before then or right after that. It has not been placed on the table yet.

Council Member, Mr. Schildmeyer- Mr. President, I just want to make sure I understand, do we need to put it on the table tonight, even if we have a town hall meeting, so we can make it by August 10th?

Council Member, Mr. Tobergte- Mr. President, we can have special meetings.

President of Council, Mr. Asbach- It is already on the agenda for the 14th.

Auditor, Ms. Brickweg- Mr. President, I think what Steve is saying, go ahead, you can have your first reading, we can always amend it at the second reading or table it. You'll at least get one reading done. I was just saying let Jonathan know if you want him to schedule some meetings instead of waiting 2 weeks to do anything at all. Does that make sense?

Council Member, Mr. Schildmeyer- Yes, Peggy that helps. I want to make sure we keep it moving while we have a chance to do the town meetings.

Motion made by Mr. Ray Culbertson, seconded by Ms. Bedinghaus, to add Ordinance 20 2022 on the table. Motion passes 7-0.

ORDINANCE 20 2022
AN ORDINANCE SUBMITTING TO THE ELECTORS OF ST. BERNARD CERTAIN
AMMENDMENTS TO THE CHARTER AND DECLARING AN EMERGENCY.

Motion made by Ms. Bedinghaus, seconded by Ms. Hausfeld, for Ordinance 20 2022 go regular course. Motion passes 7-0.

President of Council, Mr. Asbach- At this time, does anyone on Council have anything under old business?

Council Member, Ms. Bedinghaus- Mr. President, I just have one quick question for Jonathan. I might have missed this, but when you were talking about the resource officer, when you said they agreed to pay 75%, who is they? Is that the district? And then the city would pay the rest?

Mayor, Mr. Stuchell- Yes, the school district. They are the ones who actually proposed that. We talked about it several years ago, they came back to the table with that and taking majority of the responsibilities. So, yes, and just so you are aware, the 75% includes total compensation and benefits, and that was calculated for top step officer. So, we are not assuming someone out of the academy. Then in the off months, summertime, that officer would come back into the rotation, which will actually work out well because it will help back fill during vacation times. So, it is a true benefit to already have somebody internal.

Council Member, Ms. Bedinghaus- Thank you.

Council Member, Mr. Tobergte- Mr. President, is that officer going to have a car at the school, or will they have their own car up at school?

Mayor, Mr. Stuchell- Mr. President, one of the older cruisers would be supplied to be there. They could use that in the mornings for traffic control before and after.

Council Member, Mr. Tobergte- How do the cruisers look? What, we have 3 or 4 officers on duty and 4 or 5 cars? Just making sure we have cars.

Mayor, Mr. Stuchell- Mr. President, yes, we will maintain cars. I actually will be talking about that in the later part of the year based on the vehicles we have. We do have 6 cruisers that are available.

President of Council, Mr. Asbach- Does anyone on council have anything under new business?

Council Member, Mr. Bob Culbertson- Mr. President, I guess when we talk about the charter, I guess just poll people? I mean most people that I have talked to have been leaning more towards the manager route not the administrator. So, it would be interesting to see a broader polling or listening to a larger audience to see what they are in favor of. Like I said the people I have heard

from, not 75 only a handful of people, were leaning more towards the city manager route and go that route. That is just what I am hearing.

Council Member, Ms. Hausfeld- Mr. President, I have a couple of things. I know we are dealing with the charter right now, I understand that, but I think there are other things we need to look at. The streets in St. Bernard are getting horrible. We need to start looking at the infrastructure and doing something more with the street. We are starting to look bad, and I don't want it to get any worse than what it is now. I just think we need to start now. I know we are dealing with the charter, and that is a lot to deal with, but we need to start looking that this stuff now. With that being said, I have a couple things I am proofing together. Grass around St. Bernard is atrocious. Tommy, I know you are trying to keep up with that, but I don't know if we need stricter laws or more penalties? Whatever the deal is, especially with having renters. Just something needs to be done. Can we look into doing something stronger? I know I reported one particular property, they did end up cutting the grass, but they let all these wild weeds acting as wildflowers continue to stay there. It looks horrible in my opinion. Also, at the pool, because I have been spending a lot of time at our pool, there are areas, which I don't know why they were not addressed when the pool was opened, but going down the steps to the pool, right by the slide, there are big concrete parched that are out of there. That should have been patched and taken care of before the pool ever opened. Along with out slide, what is going on with the slide? I have been down there every day, with the exception of being on vacation, and our slide has never been opened. We have this huge, beautiful pool that we can't use because the slide is not open. I am going to give some sort of leeway, because being at the YMCA every day, I know some of the pools are colder, but this old body just can't handle that cold of water. So, I don't know why our heater is not on, especially with the night's temperatures can get low. I know during the day its hot, but you don't have a lot of adults that want to swim in that water. I just think these things need to be addressed, especially with having the extra reserves. Why can't we spend a little bit? We are doing all this great stuff with out parks, but I do not want our pool area to start falling apart.

Mayor, Mr. Stuchell- Mr. President, so I am going to defer to Tom Paul on a couple of the things here, but on the first, so the streets are not something that is totally being ignored. We have someone looking at the issues on Vine Street. That has all of a sudden started rapidly deteriorating. We are looking to see what might be related to the work that was done when underground utilities were addressed when the Street Scape Program was done. With the work that was done, and there has been a rapid breakdown in several areas on Vine, as for as the work that was done previously, it was surface for esthetic purposes. So, the roadbed may be deteriorating. We have had an increased amount of traffic in and out of the Village. Heavier loads maybe, more than normal. Vine Street is a major road for bus traffic, and we now have new local industry, so it is an issue, and it needs to be looked at. We are having it evaluated to determine what needs to be done. I don't want to call it a band aid but whether it needs to be spot patching or look at redoing the entire roadbed. One thing we need to keep in consideration is the major construction project going on. I am not saying we should tolerate the potholes, but we want to start looking at what can be done after that major project is finished, because aside for the construction and the materials being hauled in, there is also going to be the demo of the old building. We are looking at core sampling and we are addressing some of the areas so we can get some immediate patches. They are going to have to dig out those spots. It is not a matter of just laying down some asphalt. Then addressing some of the other streets as well. It catches my eye

and driving Vine Street every day, I'm hitting every pothole as well. Again, we are looking at that. As far as the grass, I am going to defer that to Tom Paul, but I am going to skip over to the pool as well. Yes, I am equally as critical about the pool. It is not being ignored. The slide is going through a patching process that does take time because of the fiberglass. We have been looking into expediting that by looking into a third party to finish the repair of the spider cracks and whatnot. So, it is not safe for it to be used at this moment. Yes, it should have been done in the off season. It is a multi-step process, so we are bringing in someone else. As for the step, there is no excuse for that. I go down there and find stuff wrong on a regular basis. So, yes it needs to be addressed. Is there a reason why it's like that, no, probably not. I am not going to make excuses, but it needs to be fixed. Anything further with the grass of the pool I am going to defer to him.

Safety and Service Director, Mr. Paul- Mr. President, I suggest that you allow a citation for the tall grass. I have been fed up with it since the second year I've been here. People know the gray areas. Any movement whatsoever, they can go out with a weed eater and the whole process starts over. Cincinnati cites people right away. I would look at that. As far as the pool, I had one worker, we lost a helper, so we have one worker try to do the whole pool by himself. The slide is toxic so no one can be around, and if you remember, last year, the pool did not open day one and stay open. It only opened on the weekends. A couple of weeks it was closed. So, he thought he has time, but he didn't manage to make it. So, the slide is not 3/4th of the way finished, so we are now looking for a professional who can possibly come in overnight, which I doubt because it has to dry, and again it is toxic, so we might be looking at closing the pool until the slide is done. The concrete, I am not sure what happened. I do know they patched. Now it very well could have fallen off. But, in the past, as you know, we have found picnic tables in the bottom of the pool. We have found ducks in the pool. We have found people swimming at night in the pool. So, again, we try our best, and that is where we are at.

Council Member, Mr. Tobergte- Mr. President, Tommy, can you get with Valerie to find out what ordinance we need for the grass, so we can cite people? Do you just come up with a new ordinance?

Safety and Service Director, Mr. Paul- Mr. President, Yes, I will talk to Valerie.

Council Member, Mr. Tobergte- And have it for the COW?

Law Director, Ms. Van Valkenburg- Mr. President, yes, I will talk with Mr. Paul, and we will get that done.

Council Member, Mr. Bob Culbertson- Mr. President, Valerie, we used to have a code enforcer, and I thought there was something, I can't remember what it was, but they could not go around and look for properties. They had to have some sort of selection process for some street. They just couldn't drive around all day citing people.

Safety and Service Director, Mr. Paul- Mr. President, so, our law is if your grass is 8 inches it is against the law. I don't see why we can't just cite them immediately. We do have a citation officer that goes around, he looks at it, we send a letter, we now streamline it. Before we gave

them 2 weeks. If you remember, council pushed it down to 8 days. So, we send a certified letter, and if the owner doesn't respond, we can't go onto that property, until after a certain amount of time. I don't have that in my head right now, but then we go in. So, what I have found is that if we do go in and cut it, sometimes people pay. The least amount of fine is \$125.00, the most was the property on Park Place, which was \$600.00 or \$700.00. And it is that high again. It is on the list and the process has been started. Will we ever get this money back? It probably cost more money to go down to Hamilton County Court, then explain to them, and put a lien on the property. So, if that is the way you want to go. Actually, the people before me and myself have gone in and cut, tried to soft bill if we don't get the money, I shouldn't probably announce that, but if we don't get the money, we don't get the money. Remember the tale also about the lady who said she had a grass cutting service? She said, "they bill me every month and a half and it is \$250.00." "No ma'am, that is me fining you." So, they waited, and they paid the \$250.00. As far as wildflowers, that is not against our ordinance. So, if you see wildflowers in someone front yard, it is legal. The gardens in the front yard at legal. It is not against our ordinances.

Mayor, Mr. Stuchell- Mr. President, just one clarification for Mr. Bob Culbertson. So, yes, we do have a code enforcement officer, but when it comes to grass and weeds, which is a health code violation. So, it is a different person. It can be a referral from our code enforcement officer because he is their addressing another violation. He would refer it, which goes to Robert Evans, who then takes it to the next step, which is Mr. Paul. Knowing there is a time process it has to go through, it still doesn't get resolved overnight. Agree with what you are saying about trying to go through a different process where they can be cited.

Tax Commission/Administrator, Ms. Helmes- Mr. President, I might have a solution on how we can cite people. When they have a balance, and they are not paying. The Ohio Attorney General's office does a fine job collecting unpaid taxes. I think they do collect other unpaid fines as well. Why couldn't we send those fines to the Ohio Attorney General's office as well?

Council Member, Mr. Tobergte- Mr. President, can we have the police, or even the garbage guys, while they are out, jot down the addresses and give them to you?

Safety and Service Director, Mr. Paul- We have a list of all the grass right now. I don't need anymore help, we need for it to be cut, and that is a process, and they are not following it.

Council Member, Ms. Bedinghaus- Mr. President, Jonathan, where are we at with that house that had the fire on Greenlee Ave?

Mayor, Mr. Stuchell- So we have obtained outside counsel, and currently the gentleman has been served. I will hopefully have an update shortly where we are in the next step of the process. We were informed it was not going to be an overnight deal, but we are taking legal action on that. It is in process and I wish it could be a quicker one, but he does have rights and rights to appeal as well. Again, we are working through that and hope to have an update very soon, but it is not being ignored, it is actively being pursued.

Council Member, Ms. Hausfeld- Mr. President, Jonathan I know I have talked to you and Mr. Paul, about Chalet and Heger. Not only has the older gentleman come talk to me, but now I have

young families that are also talking to me about how fast some of those cars are going up there. They are worried about their small children, dashing out at the wrong time, they are going to get hurt. So, I am just curious how the update is going? I know people want parking in certain places. People want speed bumps. I didn't know if we have come up with any type of solution for up there yet or not.

Mayor, Mr. Stuchell- Mr. President, other than increased patrols there is nothing definite yet. We looked into the ideas of, well with the concrete it is more involved, but with asphalt it makes it easier to install temporary speed humps. Rather than try to put something permanent, that might be a bigger inconvenience than it might be worth. We do need to look at some speed-controlled devices in the area, because with the free run all the way around the ring and find out how that can be addressed. I am hoping to have further discussions as to how we might be able to break it up a little bit. You know, maybe add a required stop sign at the top of the hill instead of being able to continue. When I made a recent trip back to my hometown of Athens, my entire neighborhood is nothing but speed humps. The entire streets, every quarter block is a speed hump. They are not constructed of asphalt or concrete, they are actually mounted, so they can be moved or taken up during the winter months, which I really liked, and they were effective. It was not a jarring effect on your back, but it did require you to slow down. This is a perfect area for them, along with the issues on Tower. They are constructed by plastic, so we have do not want to place them on Towner now, but something like that would be ideal. We will look into that, and break it up so you don't have one free run, which ever direction, to go freely around. So adding a couple of stop signs, but something needs to be done, and incorporating some speed humps would be a great idea, but we will come up with a formal plan.

President of Council, Mr. Asbach- Anyone else under new business? If not, is there anyone in the audience wishing to address council this evening?

Matthew Durbin, 36 Baker Ave- One thing I'd like to ask, is Mr. Brickweg, when you gave your report, I noticed you gave the fire and EMS runs, are we no longer doing the police versions of it? When Ray was doing the report, he would give the police side too.

Council Member, Mr. Brickweg- I have not.

Matthew Durbin, 36 Baker Ave- As for the school resource officer, I do believe they should have a patrol car incase they do have to transport. I doubt any of them would want to use their personal car.

Mayor, Mr. Stuchell- Mr. President, I am actually handling that Mr. Durbin, so it will be under control.

Matthew Durbin, 36 Baker Ave- And honestly, in my opinion on the speed issue, patrolling does not help. I watch people speed past police officers; they do not enforce it. They do not enforce parking either. I have to go down to the station and go directly to a lieutenant before it is enforced. I just went down there the other day and talked to Lt. Ungruhe. It is not enforced, and there are several residents on several streets that will back that up, so asking for extra enforcement will not help. They do not enforce it to begin with.

President of Council, Mr. Asbach- Thank you, anyone else? The next COW will be Thursday, July 14th at 7pm.

Council went into executive session to discuss pending litigation.

Council returned from executive session.

Motion made by Mr. Ray Culbertson, seconded by Mr. Schildmeyer, to adjourn. Motion passes 7-0.