

**VILLAGE OF ST. BERNARD**  
**COUNCIL MEETING**  
**October 26<sup>th</sup>, 2023**

The St. Bernard Village Council Meeting was held on October 26<sup>th</sup>, 2023, in Council Chambers.

The meeting was opened with a prayer followed by the Pledge of Allegiance.

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

A motion by Mr. Tobergte, seconded by Ms. Hausfeld, to suspend with the reading of the written minutes of the last council meeting. Motion passed 7-0. Minutes stand as submitted.

**REPORTS OF ADMINISTRATIVE OFFICIALS**

Mayor, Mr. Stuchell- I'd like to start by thanking our awesome recreation department for organizing another great Halloween camp out. The weather was not overly cooperative, but a little rain did not affect awesome turnout for the community Tent or Treat event on Saturday evening. There are so many great costumes and lots of great prizes for their efforts. So, thank you to our community for showing up. Will keep the great events coming. Trick or treating. The Village of Saint Bernard will be held on Tuesday, October 31st from 6:00 to 8:00 PM. Please remember to vote on Tuesday, November 7th. Polls open from 6:30 AM to 7:30 PM in the main hall, The Municipal Building at 120 Washington Ave. The Senior Shuttle will be available to all residents who need a ride to the polls from 7:00 AM to 7:00 PM. And it will be free of charge. Please call 513-226-9925 This evening I'd like to discuss the contract for the Service department and then ask for a motion to place Ordinance #34 to be on the agenda to be voted on this evening. As noted on the front page of the contract, all changes in red are marked on the specific pages of page 11, just added step Siblings for Funeral Leave. Page 14 increased sick time payout from 250 to 400 hours on page 18, under commercial driver's license. So, there is now a \$500 annual incentive pay for CDL license and then we have created a new position or basically for CDL program coordinator who would then get a \$1500 stipend and of course the \$500 stipend for maintaining certification. Just so you're aware, again the coordinator is responsible for all training and records management for both personnel and qualifying vehicles that require a CDL for operations. So, this is a well worthwhile appointment doing the training in house and we are requiring it that it be held or done in house as well. On page 27 basically just designates that wages paid to employees and classifications covered by this agreement are set forth as follows. There shall be a 3 1/2 percent raise for 2023 and 2024 for those hired before December 31st, 2014. And a 4 1/2 percent raise for those for 2023 and 2024 for those hired after January 1 of 2015. Those that are on any kind of STEP program may have received a bump higher than your percentage. That is guaranteed and as it is defined in your pay scale is new. Any

employee in the STEP program is only entitled to receive a raise on their anniversary date and not at the beginning of the calendar year. Page 28, of course, stipulates that this again this agreement shall be enforced in effect from July 31, 2023. We are backdating this because this did take longer than normal. Also again, the employees hired before the 2014 date will be offered retroactive pay. Those after the 2015 date or their raise will be effective as of today upon agreement of the contract if approved and the pay scale is of course on the last page which gives the breakdown of the wages for each of the individual positions. Anyone have any questions?

Motion made by Mr. Tobergte, seconded by Ms. Hausfeld, to place Ordinance 34 2023 on the table for tonight's vote. Motion passed 6-0.

Auditor, Ms. Brickweg- On tonight's agenda is Ordinance 33 2023, additional appropriations as follows:

That the Auditor is hereby authorized and directed to transfer the following \$1,600,000.00

FROM GENERAL FUND		
01-5-A-19	General Fund Transfer Out	\$1,600,000.00
TO CASH ACCOUNTS:		
07-1000	Capital Improvements Cash Account	\$200,000.00
31-1000	General Bond Retirement Cash Account	\$600,000.00
51-1000	Employee Health Plan Cash Account	\$800,000.00

That the Auditor is hereby authorized and directed to provide additional appropriations to the following:

01-2-K-2	Miscellaneous	\$8,000.00
01-2-K-8	Utilities	\$45,000.00
01-2-O-2B	Part Time Seasonal	\$15,000.00
01-2-O-10	Park Maintenance	\$10,000.00
01-62	Medicare	\$5,000.00
01-6-A-1	Police	\$52,000.00
01-6-A-20	Police Pension	\$10,140.00
01-7-A-1	Fire	\$80,000.00
01-7-A-1A	Fire Overtime	\$40,000.00
01-7-A-20	Fire Pension	\$19,200.00

Law Director, Ms. Van Valkenburg- Planning on having it lost top tracks and claims committee earlier this week, yesterday, but it had to be rescheduled. We'll coordinate with the members and get that on hopefully sometime next month.

Treasurer, Mr. Ungruhe- We received the statement from First State Bank. Our balance there at the end of last month was \$5,682.34.

Safety and Service Director, Mr. Paul- On the pavilion roof is well underway. The audio system is good to go, Thank you to all involved and Council for approving the funds to complete it. We'll continue with the street renovations throughout the Village. Grants have been given for this

type of work to be completed. Please be patient as the contractors are entering their busy season and we are not the first on their list. Seems everything takes time. To my community. You follow your path that appears to be laid out for you. As you take a breather you look back at the way you have traversed this path it becomes apparent that it is not all smooth treading, yet you feel an appreciation for what you have accomplished. You are refreshed and peer towards the ongoing trail. It looks not too much different than what you have been enduring. So, take some solace in your experience and move with more confidence and peace. After all, it's just life.

#### Tax Administrator, Ms. Helmes- September 2023 end of month receipts

- Tax collections for September 2023: \$832,225.
- September 2023 is down -67.10% from September 2022.
- Delinquent tax collected with Capital Recovery: \$1791.32
- Delinquent tax collected with the Ohio Attorney General's Office: \$4757.42.
- January-September 2023 tax collections: 7,843,764.
- 2022 tax year extension were over on October 15, 2023. There are 800 residents who have not filed a 2022 St. Bernard tax form. The tax office will be contacting those residents beginning in November.

#### **REPORTS OF STANDING COMMITTEE**

Finance, Mr. Tobergte- No report.

Safety, Mr. Brickweg- Tonight I have the September Police department's monthly report. For the month of September, the Police Department had 645 total contacts involving 868 calls for service. There were an additional 571 other services or details that were not necessarily called in by the public. These calls for service included 46 total criminal offenses and 99 criminal arrests. There were 74 Traffic citations as well as 129 traffic warnings. Of all these traffic contacts, 55 were for speeding violations. They responded to 20 accidents as well. Also, if you are interested and proudly showing your support for your Police Department, yard signs are available for pick up at the safety center. Just call 513-242-2727 and let them know you're interested, and they will have them ready for you in the lobby.

Service, Ms. Hausfeld- Tonight I have the service department report for September 2023. There were 21 trucks placed at residence, 18 dumpsters placed at residence, 140 special pickups at residence 134.52 tons of garbage taken to the landfill. As far as the recycling report, there were 29.78 tons of recycling material, two car batteries, 4000 pounds of scrap metal and four tires, and also the waste collection fee for the month of August 2023, the amount of 27,012.65 was remitted to the village.

Public Improvements, Mr. Bob Culbertson- The CIC met this past Tuesday to discuss the continued discussions about the property development that the square. I encourage those who are interested to attend the next CIC meeting to hear more on November 28th at 6:00 PM in Council chambers.

Marketing, Mr. Ray Culbertson- The Village will be hosting the Bengals Tailgate Party and the Pavilion this Sunday, October 29th from 3:00 PM to 8:00 PM Bring your chair, bring your cooler, and the rec department will provide food off the grill. Come on down and cheer for the Bengals to whip the 49ers this Sunday. Also on Sunday, Emmanuel United Church of Christ is having their Family Fall Festival again. That's this Sunday, October 29th from 12:00 PM to 5:00 PM. This event has been moved indoors. The event features crafts, vendors, food, drinks, raffle baskets, games, activities and a kid friendly trick or treat. And lastly, I'd like to wish good luck to the Saint Bernard, Elmwood Place Titans and the Roger Bacon Spartans, who both have Football Playoff games this coming weekend.

Business and Industry, Mr. Schildmeyer- At the Building and Zoning Department report for August 2023, as far as building activities, there were seven residential permits issued. There were six commercial permits issued. The total fees for residential permits were \$1210.08. The total fees for commercial permits were \$1483.74. Amount paid back to the Treasurer of the State of Ohio for residential permits was \$12.10. The amount paid back to the Treasurer for the State of Ohio for commercial was \$44.52.

Committee of the Whole, Ms. Stegman- Minutes were submitted on October 24th and I have no communications this evening.

#### ORDINANCE NO. 33, 2023

AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS AND PROVIDE ADDITIONAL APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion made by Mr. Tobergte, seconded by Mr. Ray Culbertson, to suspend with the 2<sup>nd</sup> and 3<sup>rd</sup> reading of Ordinance 33 2023. Motion passes 6-0.

Motion made by Mr. Tobergte, seconded by Ms. Hausfeld, to adopt Ordinance 33 2023. Motion passed 6-0.

#### ORDINANCE NO. 34, 2023

ACCEPTING AND APPROVING THE TERMS OF EMPLOYMENT MADE BY AND BETWEEN THE VILLAGE OF ST. BERNARD AND ST. BERNARD SERVICE DEPARTMENT ASSOCIATION AND DECLARING AN EMERGENCY.

Motion made by Mr. Tobergte, seconded by Ms. Hausfeld, to suspend with the 2<sup>nd</sup> and 3<sup>rd</sup> reading of Ordinance 33 2023. Motion passes 6-0.

Motion made by Mr. Tobergte, seconded by Mr. Ray Culbertson, to adopt Ordinance 34 2023. Motion passed 6-0.

#### ORDINANCE NO. 35, 2023

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH JOHN R. JURGENSEN COMPANY AND DECLARING AN EMERGENCY.

Motion made by Mr. Tobergte, seconded by Ms. Hausfeld, to suspend with the 2<sup>nd</sup> and 3<sup>rd</sup> reading of Ordinance 35 2023. Motion passes 6-0.

Motion made by Mr. Tobergte, seconded by Mr. Ray Culbertson, to adopt Ordinance 35 2023. Motion passed 6-0.

### ORDINANCE NO. 36, 2023

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

Motion made by Mr. Tobergte, seconded by Ms. Hausfeld, to suspend with the 2<sup>nd</sup> and 3<sup>rd</sup> reading of Ordinance 36 2023. Motion passes 6-0.

Motion made by Mr. Tobergte, seconded by Mr. Ray Culbertson, to adopt Ordinance 36 2023. Motion passed 6-0.

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

Council Member, Mr. Tobergte- like for on the table for could be the whole meeting to discuss phrases for the city clerk and all the other full-time people didn't get raises that came out in June. And also, just thought we could add to the discussion to the COW. The police and fire got the COVID bonuses through a grant. But we had the service department for work throughout the whole pandemic and the people at City Hall work throughout the whole pandemic. I wonder if we take some money out of the treasury and put some money into their pockets like the police and fire?

President of Council, Mr. Asbach- Ok, I added it to the agenda.

President of Council, Mr. Asbach- Is there anyone in the audience wishing to address council tonight?

Thomas Fox, 309 Jackson- St. Bernard School open?

Mayor, Mr. Stuchell- The new school is supposed to be open after the Christmas break. That that is the intent. Does that answer your question? They're supposed to be moving and actually after the long Christmas break between Thanksgiving and Christmas, they're supposed to be making the move and transitioning into the new building.

Thomas Fox, 309 Jackson- Yes. On Halloween Day, are you closed?

Council Member, Mr. Ray Culbertson- No. City Hall is open on Halloween Day.

Thomas Fox, 309 Jackson- My backyard has a bunch of leaves.

Council Member, Mr. Ray Culbertson- I will get with your brother Dan and make him rake them out. Sound good?

Thomas Fox, 309 Jackson- Yes. One more thing. Halloween event at the Eagles will not have a DJ.

Mayor, Mr. Stuchell- Are you petitioning to Council to get the DJ?

Thomas Fox, 309 Jackson- Yes. Ray Culbertson told me Vine Street Park will be Bengals and tailgate party with food and drinks and cornhole?

Council Member, Mr. Ray Culbertson- Thanks Thomas, I will get on Dan about the leaves.

Mayor, Mr. Stuchell- I am sure we can pull out some cornhole boards. But yes, we will have the grill going and bottled water. If you want something other than water, you will need to bring your own cooler and bring a chair.

Matthew Durbin, 34 Baker- I just want to comment about the last meeting, the COW meeting. I sensed some very unprofessionalism during that meeting, raising of voices, and going back and forth with the resident. And I also noticed that you refused to allow any other residents to speak after that resident. You instantly skipped over anybody else public comments. I felt that was very unprofessional. So, what is the status of Ordinance 31 2023?

President of Council, Mr. Asbach- I was not at the special council meeting, but from my understanding it was passed 7-0.

Matthew Durbin, 34 Baker- That is interesting, because that was passed during the COW meeting. The special meeting was never started. The COW meeting was never ended. You never started the council meeting because you were supposed to go into executive session before. Just wanted to pass that up the chain of command by St. Bernard.

Law Director, Ms. Van Valkenburg- The COW meeting was halted so we could go into the special council meeting at the time the special meeting was set for, which was 7:30pm, was the time it was publicized as, so we were complying with that time. After which, we reconvened and continued on with the COW meeting.

Benjamin Fraley, 4511 Park Place- a few questions. First, I actually would like to echo the sentiments of my fellow citizen. I was at the council meeting last time, and there was a distinct, I guess, lack of etiquette, in my opinion, when it comes to discourse amongst the community. Regardless of how you feel about my fellow citizens' opinions on certain matters, I think we all have a right to speak and encourages participation in this wonderful thing we call democracy. And I think that shutting down discourse for personal reasons, vendetta reasons, however you want to frame it, is inherently antithetical to democratic purposes and in fact, discourages discourse and involvement amongst citizens. Just a point I'd like to make. Secondly, this is more of a procedural question, a number of ordinances were passed this evening, all of which appeared to be an emergency declaration as well. Is there a reason for consistent emergency declarations? Because it sounds like if everything's an emergency, nothing's an emergency.

President of Council, Mr. Asbach- So, the reason the emergency clause is in there is, so the ordinance takes effect sooner than 30 days. If we didn't have the emergency clause in there it would be a whole month before anything would be passed and go into effect.

Benjamin Fraley, 4511 Park Place- Would it be more beneficial to just change the timeframe the ordinances apply instead of announcing everything as an emergency? If that is possible.

President of Council, Mr. Asbach- Some things come up that need to be passed where we do not have months to figure them out.

Benjamin Fraley, 4511 Park Place- That makes sense. Is there any potential for improvement in communication to the citizens about emergency ordinances coming up or ordinances that need to be passed? Again, an email or a phone call I think would do well and again I think it would encourage participation from the citizens at the risk of potentially hindering your risk of involvement or attempts to get it passed as well, I get that.

President of Council, Mr. Asbach- Just FYI, every ordinance is discussed at the COW meetings. The COW agenda is set the Tuesday before the COW meeting on Thursday. This agenda is posted on the Village website so, committee of the whole is where most items are discussed and put on the table. Those are the meetings where the discussion happens so we can vote at the council meetings.

Benjamin Fraley, 4511 Park Place- Ok, good. If I may make a suggestion. If you could include those possibly in a newsletter going out via email that would be a good option too, if possible and within reason as well. That would be any ordinances that would be upcoming to discuss if possible. Lastly, I guess this is another procedural question, do you follow Robert's Rules of Order? Or what is the actual procedure for conducting these meetings? I think that is important for citizens to understand as well.

President of Council, Mr. Asbach- We have a Rules of Council that we abide by. They were formulated pretty much from Robert's Rule and they are referred to in our Rules of Council.

Benjamin Fraley, 4511 Park Place- Is that publicly available to citizens as well?

President of Council, Mr. Asbach- Rules of Council is a public record.

Benjamin Fraley, 4511 Park Place- Fantastic, thank you. Last thing, if possibly, maybe work on getting the microphones operational. I like to think I have good hearing and I am having a hard time hearing Council. I know it is hard for some people to hear so it might be beneficial to have better operating microphones. Thank you.

Auditor, Ms. Brickweg- I guess I will address both of you because I'm sure you're looking at me, but it was me and afterwards I thought to myself I was a little rough and when I see Mr. Lair I will apologize. He usually comes in once or twice a week, but I have not seen him yet. But I think part of the issue in that meeting, and she did her best is Cindy sat in and she ran the meeting and usually somebody would not be able to be up there for more than 5 minutes and he was probably up there for 10 minutes just asking questions over questions and it was just to the point where they were being answered but nothing was getting done. I will say that ordinance,

we have been discussing it about a year now. The people on the committee went to the Service Department, they went to the Service Director, they went to the police and checked everything out and did the best they could. It was just somewhat frustrating on my part personally, was if. Everyone kept saying what if, and if and if the leaves do blow in the street, am I going to get a ticket? Nobody was addressing it. I will apologize to him, but we were not going to get anywhere that night. I don't believe Cindy purposely did not let people speak. That was a mistake, but she would never do that purposely. For that I do apologize.

Next Council meeting will be held Tuesday, November 21<sup>st</sup> at 7:00pm in Council Chambers.

Next Committee of the Whole will be held Thursday, November 9<sup>th</sup> at 7:00pm in Council Chambers.

Motion made by Mr. Tobergte, seconded by Ms. Hausfeld, to excuse the absent member. Motion passes 6-0.

Motion made by Mr. Ray Culbertson, seconded by Ms. Hausfeld, to adjourn. Motion passed 6-0.

Meeting is adjourned.