

THE VILLAGE OF ST. BERNARD
SPECIAL COUNCIL MEETING

December 6th, 2023

The St. Bernard Village Special Council Meeting was held on December 6th, 2023, in Council Chambers.

Roll call showed six members were present: Mr. Moreton, Mr. Stuchell, Mr. Edwards, Ms. Hausfeld, Mr. Culbertson, and Mr. Estep Absent: Mr. Schildmeyer

President of Council, Mr. Asbach- This meeting was called to order to discuss Ordinance 41 2023 and Ordinance 42 2023

President of Council, Mr. Asbach- Clerk, will you please give the 2nd reading of Ordinance 41 2023?

ORDINANCE 41 2023

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

Motion made by Mr. Culbertson, seconded by Mr. Moreton, for Ordinance 41 2023 go regular course.

Council Member, Mr. Estep- Is that for all the employees of the Service Department?

President of Council, Mr. Asbach- This is just for the Service Department full-time employees and City Hall employees. The police and fire were covered under a grant under Ordinance 33 2023.

Council Member, Ms. Hausfeld- Through the pandemic, how many service department employees were there?

Auditor, Ms. Brickweg- Are you asking how many qualify?

Council Member, Ms. Hausfeld- Yes.

Auditor, Ms. Brickweg- 17 employees would qualify.

Council Member, Ms. Hausfeld- Where did we come up with \$67,000.00?

Auditor, Ms. Brickweg- To match the grant, the max is \$4,000 per employee if you make \$40,000 per year or more. Som employees do not make that much, so I had to calculate their total.

Council Member, Ms. Hausfeld- It was my understanding there was not a grant. Why are we going off a grant?

Auditor, Ms. Brickweg- Because that is what was discussed at the council meeting. It was to follow the same stipulations as the grant for the police and fire employees.

Council Member, Ms. Hausfeld- I have quite a few things to go over. One, and these are kind of rhetorical, but I'm going to ask, what does a regular course mean? I believe when we vote to go right on a course, that means we get a chance to discuss things outside of council, talk to people, find out facts, find out different things, and we should not be bullied into voting with all these special meetings, in my opinion. With that being said, emergency, why are we doing everything emergency? I know tonight we just wanted it to go regular course, but last Wednesday, last Thursday and Monday night we voted emergency which it failed. But in me emergency is an emergency. Giving people a bonus is not an emergency. In my in my opinion. I don't think having 4 or 5 or 6 meetings within a week, I think it's ridiculous. If the auditor's office would have slipped these up. Two or three weeks ago we would not have to be worrying about getting things passed because things were already paid out. And please, the fire was awarded retention grants and yes, we paid their pension part out, but it was a retention grant to make sure that the face and fireman did not go anywhere. They stayed on the job, especially through the pandemic. I've already said if the service department was awarded a grant, I would do the same thing for them that I did for the police and fire. I still believe working from home and City Hall being closed a lot of the time through the pandemic. I don't understand why we're considering paying elected officials and appointed positions \$4,000. Also how much does the city own out? Ballpark figure.

Auditor, Ms. Brickweg- I'll wait till you are all done.

Council Member, Ms. Hausfeld- I don't, I personally don't think taking \$87,000 out of our budget so that we can just be the same across the board. I just don't think it's fair to the taxpayers of Saint Bernard. And I've talked to taxpayers and talked to citizens and they're saying because they heard we got \$12 million into savings, well, we do have money in the savings, but we owe a lot of money too. I don't know what the ballpark figure is yet, but we'll get that here in a minute. Also, the Citizens taxpayer said if we do have all this money that we're willing to just give away to whomever they would like to see the garbage fees taken away and some of that money coming back to the Citizens. Also, accountability is one thing for regular council meeting and regular committee whole meetings, but when special meetings are called and no one asked any of council if we had other plans or something else was going on, it's not right that we just expected to be there, especially when we're working. And for those of you that don't think that people work because it was mentioned to me the other night that I don't have a job, I actually work for this village of Saint Bernard, the taxpayers of Saint Bernard. I also do a part time job at YMCA teaching swim lessons. But the most rewarding job is taking care of my 88-year-old mother that depends on me for everything. So, for having all these special meetings and just expect us to be here when not one time. Not one time did anybody say anything, at least to the council members that I talked to, said, hey, can you make it on Tuesday night or Wednesday night or Thursday night for a special meeting? Because not one time did anybody say that. I know for a fact there's somebody here that's supposed to work. They actually missed their work because they have to be here. Out of all the years I have been involved, I may have missed three meetings, and then I wasn't excused from Monday night's meeting, because I was working. I am just giving my opinion and the way I feel.

Auditor, Ms. Brickweg- First of all, Steve actually said he made a mistake. Don't throw him under the bus for that. We have all forgotten things before, and we are all human. Emergency means it goes into effect right away and we do not have to wait 30 days.

Ordinance 41, 2023

I was not planning to discuss this ordinance but after hearing what some of the current Council Members are saying about me personally, I believe the residents need to know. These two individuals have stated they will not vote for the retention bonus because I am one of the employees receiving it. I do not have words for this unprofessional and vindictive behavior.

The appropriations in this Ordinance besides the \$13,900.00 for new fitness equipment mirror the grant that the Fire and Police obtained. It is a retention grant, not hazardous pay which so many are saying.

As for the Service Department and City Hall Employees, we all worked during covid. When I hear Mr. Estep and Ms. Hausfeld state 'they really did not work' I ask you these questions:

1. Who retrieved and called back the residents with their concerns?
2. Who opened and distributed the mail?
3. Who processed all the income tax returns and checks that were dropped off daily in the drop box?
4. Who paid all of the invoices?
5. Who paid all the employees?
6. Who brought the revenues to the bank?
7. Who participated in the Covid grant seminars and prepared all the necessary grant paperwork?
8. Who ensured the money was being spent on the correct things?
9. Who spotted dumpsters and red trucks?
10. Who picked up trash and recycling?
11. Who took care of the parks and streets

I can tell you that little elves did not appear overnight to run City Hall and we all saw the Service Department out working. Since you so easily state that we did not work I would like one example of what daily normal business did not happen during covid, except for person to person contact which the governor stopped.

Regarding the actual Covid money, the Village received \$2,201,668.911 in revenues.

That leaves a remaining balance of \$561,761.89 of unused Covid money and if you were listening to Mr. Tobergte that is what he tried to explain. Now that the crisis is over, and we

have remaining money, it could be used to compensate the remaining full-time employees for retentions. Yes, the Fire and Police received \$132,000 in grant money (which is not part of my above total). As Ms. Hausfeld stated, City Hall and Service Department employees should have come to council to ask for additional pay or get a grant ourselves. There is no such grant and maybe Council could think of the employees instead of asking them to beg.

I honestly do not care if you vote for this or not, but to be uneducated in the facts and numbers of the Covid revenues and grants and using me as a scapegoat for a personal agenda is beyond disgusting.

Council Member, Mr. Estep- I never said the service people did not work and did not accuse anyone of not working. The reason I am voting no is because I asked a goof friend of mine if we should have paid the pension pick up. He asked why and I responded out of the goodness of our hearts. He asked if we had the money to do that. Once I found out about our outstanding debt is more than we have in the bank. Once you start this ball rolling it would be unfair to others. The reason I am voting no is because I would like to see us be more frugal. We need to work on getting more business and better business to come here to town. We need to be able to write a check to get them here. At the shopping center, no business wants to go in there because when you look across the street, what do you see? The Dollar Store and Shur Fine. They are eating and drinking whatever they are drinking out of the liquor store and leaving their garbage and urinating in the parking lot. If I am thinking of investing in a community for my business, I would look at that and say hell no. I'd like to be able to take a check to Shur Fine and the Dollar Store and here, you are out of here. I'd like to see better businesses here. I can't see going down this road and spending the money. I'm sure people will be mad at me, but I can't in my good conscience vote yes on this.

Mayor, Mr. Stuchell- So, actually, I take full responsibility for the budget, and I did not put it back on council just because I know the past. I take full responsibility for the budget. I have no problem taking responsibility for that and that's my job. So as far as your comments regarding the shopping center, I've had a conversation with them and it's not for sale. It is on our wish list. We are in better financial position than we have been in for years. We can do things now that were ignored for many years. As far as our debt, our debt is cheaper for us to maintain that debt than it is for us to pay it off. I am comfortable with where we are at and what we are going to be able to do.

Council Member, Mr. Estep- Mayor, that was not a slam on you. I know what you have been through, I have been down the same road. I'm just saying it is something we ought to look into. If we can't get rid of them, maybe we can patrol them a little bit more. I shop down there from time to time, but when I walk down there, it is a mess. The other day I was walking by and heard a trickle, and a man was urinating between the sidewalk and the parking lot. I am not slamming anybody for it, I just wish we could get that cleaned up a little bit.

Auditor, Ms. Brickweg- Sorry Patty, I have one more thing. I did not split the ordinances because it was recommended not to split them. Breaking them out wouldn't work because its payroll and council would be voting on their own raise, which might not look very well, but I went ahead and split them for ordinances 41 and 42.

Council Member, Ms. Hausfeld- If they would have been split the first time I asked, it would not have been voting on our own raise, it would have been the raises for the new council members that were sworn in on December 1st. The raises had nothing to do with the old council members.

Auditor, Ms. Brickweg- I don't want to keep trying up with ordinance so I will comment when we discuss ordinance 42.

Bob Hausfeld, 4422 Tower Ave.- week. How many people were getting this? I was told 18 for the service department employees and 5 city hall employees. How many full-time service department employees do we have?

Auditor, Ms. Brickweg- We have 21. I am not sure who said 18 but I had to research the grant to see who qualified and it was 17 qualified employees at the time of the pandemic.

Bob Hausfeld, 4422 Towner Ave.- I asked on the council floor and I was told 18 for the service department and 5 city hall employees. I was told that on the council floor.

Auditor, Ms. Brickweg- I did not tell you that.

Bob Hausfeld, 4422 Tower Ave. _ I didn't say you did tell me.

Auditor, Ms. Brickweg- Can I speak?

Bob Hausfeld, 4422 Tower Ave.- You can speak to yourself all you want, I wasn't talking to you. That's all I had, thank you.

Nicole Klungle, 551 Church- I don't really see what grants have to do with people making a covid bonus. I feel like that should be the primary concern. If the village can afford it, which it sounds like it can, I don't see why merit isn't the first concern. If you can show or prove there were grants for service department or city hall employees, I'd really like to see that. I don't think those opportunities were present. I am just confused about why merit isn't the first concern.

Auditor, Ms. Brickweg- Nicole, I did actually look that up and there were no grants available for service department or city hall employees.

Thomas Lynch, 197 Harvey Court- First off, you said there was \$561,000, and I added what you have here on your ordinance, which is \$106,000. Are you trying to get a profit off the covid money? The service department has a garbage fee, which is \$230,000 a year. So, add that to the \$400,000 you are making a profit off the covid money. What I'm saying is this is a drop in the bucket. This bonus is nothing. That trash fee is for the service department, but we see none of it. We might see a new garbage truck every now and then. It just seems like you are bringing up all these excesses, when you were the representative of the service department. Was it your job to look for grants?

Council Member, Ms. Hausfeld- No.

Thomas Lynch, 197 Harvey Court- Just seems like there is plenty of money. We were out there working in it every day. I know we were doing a lot more than you were doing, that's for damn sure. To say no to the guys that were knee deep in it just seems ridiculous.

Auditor, Ms. Brickweg- I just want to mention the garbage fee is for the service department for trucks and such, it is in the budget.

Roll call for regular course for Ordinance 41. Motion passes 5-1.

ORDINANCE 42 2023

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

Motion made by Mr. Culbertson, seconded by Mr. Moreton, for Ordinance 42 2023 go regular course. Motion passed 4-2.

Auditor, Ms. Brickweg- Ordinance 42, 2023

I would like to take this opportunity to inform the residents on what occurred at last week's council meetings and the results. After much discussion on election day in regards to new start dates, past and new Council salaries and terms; I reached out for legal advice. This is the e-mail that I sent out to each council member on November 18, 2023. No one reached out to me with any questions or concerns. The email as follows:

December 18, 2023

Many people have been asking me questions regarding the new council term start date and end date of the current council. I called the law firm that assisted with the writing of the charter to help clear it up. This may be a little confusing, but the easiest way to say this is it is very similar to "what comes first the chicken or the egg". Feel free to call me with any questions you may have.

1. According to the new Charter the newly elected council terms start December 1st. They can legally be sworn in on November 30th. Other municipalities are doing this.
2. According to the new Charter, those in office when the Charter changes were voted for will finish out their term. This was for the Treasurer, but it does apply to current council members.
3. According to the petitions the current council members filed with the Board of Elections their term date was 12-31-2023.
4. The new council members filed their petitions with the term start date of 12-1-2023

After a lot of discussion, it was suggested that the Village pay the council members leaving office their December pay and the new council members will receive their December pay also. There WILL NOT be a double payment for the elected incumbents staying in office. The new council members will participate and be the working council members in December and forward. I will be working on what the additional appropriations needed to cover the present and new members, plus the raises that start for the new members. (End of e-mail)
I then prepared Ordinance 39, 2023 which included the appropriation amounts from the e-mail. The ordinance also included the retention pay and fitness center equipment additional appropriations. Our Law Director then explained the ethic law regarding voting for a "class" of employees. Council was 100% informed on this ordinance and of the need for passage in order to pay the correct payroll amounts to the elected officials which these same council members

previously voted before the petitions to run were filed. By not passing this ordinance or at the minimum voting for it to go emergency pretty much set me up. I could either disregard Ordinance 17, 2023, which was the Council's pay raise ordinance, or I paid the amounts in the ordinance and the appropriations went over.

I have been informed that there are residents inquiring about filing criminal charges on me for going over the budgeted appropriations. I have already let the state auditor know what occurred. I am always honest, and I give 100%. I was not raised to consider being set up, but I certainly am aware now. I want the residents and Council to know the entire story and truth.

I did meet individually with some of the new council members, and it was very refreshing to hear they do not have their own agendas, they want to work as a team and that they understand meeting procedures and rules and what percentages are needed for the passing of ordinances. Thank you for your time and for putting on record what actually did happen.

Council Member, Ms. Hausfeld- Just a question that came to mind, if we pass this way back then, why wasn't it appropriated so much sooner than the last meeting of the year?

Auditor, Ms. Brickweg- As I explained in the email, we had to get a legal opinion. Once we had our legal opinion, I sent it out to you. I could not do anything until we knew who was going to be elected.

Roll call for regular course for Ordinance 42. Motion passes 5-1.

Motion made by Mr. Culbertson, seconded by Mr. Estep to excuse the absent members for Monday, December 4th and this evening's meeting on December 6th. Motion passes 4-0-1 abstention.

Next Special Council meeting will be held Thursday, December 7th at 5:45 in Council Chambers.

Motion made by Mr. Culbertson, seconded by Mr. Moreton, to adjourn. Motion passes 5-0.

Meeting is adjourned.