

**ST. BERNARD CITY COUNCIL MEETING  
MARCH 16, 2006**

The regular meeting of the St. Bernard City Council was held Thursday, March 16, 2006 in Council Chambers.

President of Council, M. Curtis Walden – The meeting was opened with a prayer followed by the Pledge of Allegiance.

Roll call showed that all members were present: Mrs. Howell, Mr. Asbach, Mr. Wilson, Mr. Burkhardt, Mrs. Brickweg, Mr. Meier and Mr. Zix.

Mr. Burkhardt made a motion to suspend with the reading of the minutes. Mr. Wilson seconded the motion. Council agreed 7-0.

**REPORTS OF CITY OFFICIALS**

MAYOR, Mr. Estep – Just an update on the two recent hires at the Police Station. Patrolman Franklin and Patrolman Schindler, we are getting a lot of positive feedback and I had the luxury of working on a couple of cases with them and I was very impressed with their professionalism and the way they handled themselves around some of the people in our neighborhood. It's really uplifting to know that we're on the right track and we've made some good appointments there and its nice to hear from citizens and I urge the citizens, if you see somebody in any of the four depts., whether it be the fire, police service or City Hall, please contact that dept. head or that Chief or give me a call, its nice to spread some positivity throughout the City. Anytime we see somebody because again just to reinforce the number of qualified people we have working in this town and it never hurts to give somebody a pat on the back.

AUDITOR, Mr. St. Clair – Reports for the City's investments and for the balances in our various bank accounts have been distributed to Council and the Administration.

Before Council tonight is Ordinance No. 11, 2006. This Ordinance transfers funds from the General Fund to certain other funds. It also provides for additional appropriations and appropriation adjustments as discussed at the last COW.

DIRECTOR OF LAW, Mr. Geiser – This past week I received an email from Barb Kalb, giving me some insight and her thoughts and ideas on some of the legal issues in the City. As a lawyer, when you work for a law firm or with a big dept. you have other lawyers to talk to and converse with and give ideas. I don't have that luxury here, so it's nice to have and I thank her, although she is normally here, I thank her for her input. I have her and I have Curtis Walden to throw ideas back and forth and sometimes that is very grateful and I do appreciate her input.

TREASURER, Mr. Kathman – Just a point of interest, I read in the newspaper this week that Trillium Health Care Products, who operates the soap plant in Ivorydale, is going to begin making bar soap for Colgate, Polmolive. This will increase the plant's capacity by 1/3<sup>rd</sup> and add another 75 employees.

Also, after the hurricane in New Orleans and the New Orleans area, many trees were blown down and overturned. They were turned into mulch and the State is trying to get rid of tons and tons of this mulch to any State or Company who will come and haul it away. It will go to places like Lowes and Home Depot with problems. Formosan termites will be the bonus in the bags. New Orleans is one of the few areas where the Formosan termites has a stronghold and most trees blown down were already badly infected. Now we may have the worst case of transporting this problem to all parts of the country that we have ever had. These termites can eat a house in no time at all and we have no control against them. Tell your friends that own homes to avoid cheap mulch and know where it came from. There is a website you can go to. It is <http://www.agctr.lsu.edu/termites>.

SAFETY DIRECTOR, Mr. Stuchell – I have a press release from Michael Snowden, the Director of the Hamilton County Emergency Management Agency regarding the changes in the siren testing to once per month.

## PRESS RELEASE

### Hamilton County Changes Siren Testing To Once Per Month

Hamilton County, Ohio, March 13, 2006 --- After meeting with the Emergency Managers in the surrounding counties, the Hamilton County Emergency Management Agency has changed its testing policy. Hamilton County will now test the warning sirens on only the first Wednesday of each month at noon. **Hamilton County will no longer test the sirens on the third Wednesday of the month.** This will make Hamilton County's siren test procedure consistent with the surrounding counties.

As we begin this severe weather season, we ask all Hamilton County residents and businesses to prepare an emergency plan, or review their existing plan. The plan should address the following:

1. Have a tone alerted weather radio in your home or business. Check to make sure that it operates, and that it has a fresh battery in the event of a power outage.
2. Have an emergency plan that includes where your employees or family will go in the event of severe weather.
3. Have emergency supplies in the event of power outages, including fresh water, flashlights with fresh batteries, and any supplies you would need if you had to evacuate.

**REMEMBER, IF YOU HEAR THE SIRENS, TAKE COVER AND TUNE TO LOCAL MEDIA FOR FURTHER INFORMATION.**

To our actual citizens, I would like to give you information as to when the sirens will actually sound. The outdoor warning sirens in Hamilton will sound a five minute steady tone upon the issuance by the National Weather Service for Hamilton County Ohio for either of these two severe weather warnings. A tornado warning, or a severe thunderstorm warning during a tornado watch. Not to confuse anyone any further but this is severe weather awareness week and because with the change with the emergency siren and testing, there will not be, Hamilton County will not activate their warning sirens during the State schedule for the outdoor warning system activation

on March 29<sup>th</sup>. Due to the confusion in the last couple of weeks, they did not want to deviate from their normal siren testing schedule as in the past because it experienced undue citizen concerns and an overload of calls to 911 centers. Just to keep people aware that again, that the testing will start again the first Wednesday of each month.

SERVICE DIRECTOR, Mr. Kempe – The Board of Elections has informed the City there will be only one polling place, instead of three, in St. Bernard beginning with the next election on May 2<sup>nd</sup>. All four wards within the City will be voting in the Main Hall of the Municipal Building located on Tower and Washington Avenues. Notices from the Board of Elections should be mailed to all registered voters.

Legal Ads have been placed in the Enquirer paper for bids on the Beech St. Reconstruction Project. The bids will be opened at City Hall on Wednesday, March 29<sup>th</sup>. Work on this project should begin sometime after May 1<sup>st</sup> and completed by September 30, 2006.

The City has received the initial notification from the Ohio Public Works Commission that our grant application in the amount of \$600,000 for the Woodside Heights Subdivision Improvement project has been approved. The formal approval for the grant agreement will be released by the commission on July 1, 2006.

TAX COMMISSIONER, Mrs. Williams – No report.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Zix – The Finance Committee would like to request that we meet in Executive Session after this meeting to discuss litigation.

SAFETY, Mr. Burkhardt – The date, April 8<sup>th</sup>, from 9:00 to 3:00p.m. will be the very first Community Problem Policing Summit. The Summit will provide useful information and best practices to CPO team members, faith based groups, block watch clubs, community council members and anyone who has working to improve their neighborhood. The Summit will be held at the brand new Community Action Agency located at the corner of Reading and Langdon Farm and Jordan's Crossing. If you need any more information, you may contact Tracy Wilson at the Partining Center, 559-5450.

SERVICE, Mr. Meier – We've had several people write letters in the past couple of months regarding the Medical Bus and I came by some information that may help some people. Metro has two different types of transportation. One is called Metro Access. Metro Access is a curb to curb shared ride public transportation system for people whose disability prevents their riding Metro buses. If you have a disability or medical condition that prevents you from riding Metro buses, you may be eligible for access some, or all the time. If your disability just makes riding the Metro more difficult or inconvenient you may not be eligible for access under the Americans for Disability Act. Basically what this is, this a program where if you need access, like what we have for the Medical Bus, but you don't have it, with this application, they will come out and do an assessment of you and basically what you do is you call Metro and they actually have a bus similar to what we have with the Medical Bus. They will come and pick you up and

take you to your appts. and then they will bring you back home also. I'm going to get a little bit more information on this but I think maybe it is something that if we have people who were eligible for it then maybe we can incorporate that with the Dial-A-Ride. If people who call Dial-A-Ride and if they were on the list then they could then make the appts. for them. I think that it is probably not as good as having a Medical Bus, but in the short term it may be a short term solution to just kind of help thing out.

Mr. Wilson – Do you have any idea, Kevin, what kind of cost is involved, or is that the additional information you're going to get?

Mr. Meier – I don't have an exact figure. It is very low cost. I don't have an exact dollar figure, but I will get that and I can bring that back to our next meeting.

PUBLIC IMPROVEMENTS, Mr. Asbach – I would like to place on the March 30<sup>th</sup> COW Mr. Lee Ward, a Senior Planner with McGill-Smith-Punshon, Inc., to present a proposal to Council, I guess I missed COW, so that may have to be passed on to the CIC, I understand that the Vine St. improvements were put into the CIC.

The Committee will meet next Wed., March 22, at 7:00p.m. to discuss tax abatements for home improvements as well as what Council wishes to do with 618 E. Ross Ave.

LAWS, CONTRACTS AND CLAIMS, Mrs. Howell – Just briefly, Bill and myself met last Wednesday and basically we talked for a very short time about residency and we are still working on that in my committee. Probably within the next two weeks or so we will get another meeting together to discuss it a little bit further. He does have some paper work to go to Eddie Geiser and it is my understanding that this is the first time he has seen Eddie so we will take care of that.

BUSINESS AND INDUSTRY, Mr. Wilson – I would like to be put on the COW to discuss the pay Ordinance. I wanted to briefly discuss a little bit of information I have compiled here. Just to keep everybody informed on what's going on with this. Basically where we're at right now is, we're trying to come up with either a 3% or a 5% increase for non-contractual full time personnel. It's my suggestion that we use a 5% increase. They haven't had a raise in over the past three years here. That would basically be 1.67% increase over that three year period per year. I compiled some numbers and we're looking at the difference of between 3% and 5%. The additional 2%, is \$4012. 92 for the five employees. I would like to be put on the COW to discuss this further next week.

HIGHWAYS AND TRANSPORTATION, Mrs. Brickweg – I just wanted to give a short update, I did have my meeting last night with the citizens and we talked for about 4 hours on many different issues. I'll touch on a few of those. One of the areas we talked about was traffic problems in the City. We were discussing the idea that Doug Roll had presented, closing off some of the streets at Vine and at Ross. We discussed the possibility of making some of the streets one way so that it would make it easier for cars to get down them. It seems there are a lot of problems, especially on Greenlee with people getting side swiped and mirrors taken off. Another idea that

was brought up was possibly making parking only on one side of streets that are too narrow. We discussed a City Manager being hired and how that could change the City and possibly ending appointing positions. It was also discussed about how to go about opening up the Charter and that there is many other things that could be changed in our Charter if we did open it up to amend it. Some of the ideas were; now that our City is 5,000, probably less than 5,000 according to ORC the Council in a City of less than 5,000 has five members on Council, not seven. That was a suggestion. There was a suggestion of maybe having contracts or consign some departments, some items out, possibly the legal part, because it looked like a lot of our legal items are sent off or spent, you know, for lawyers that specialize in things and I know you can have contracts or retainers with law firms where we could have it where the City could call up at any time and ask a question, we could have it sent to somebody that specializes in the field. That was brought up. We discussed the property management and enforcing it and I did explain that I had talked to Paul Coors and Gerry Wiedmann and they are going to look over the Ordinances to figure out how to get some more teeth in those so they have more power to enforce it. Hiring a grant writer on a commission, was discussed. The possibility of different areas where senior housing could go, was discussed. I went over a seminar that I had attended on Monday, and I won't go on great length about that, but it is from Flint, Michigan and a land bank and how they bought up vacant property by buying up tax liens up there. This is just a few items, oh, new housing was suggested for possibly for Vine St., or using some of the parks that are not dedicated to put some housing on. The idea of the City actually having, developing a plan on where we would like to put housing or buy property and the City actually borrowing money to buy up property if that is what needed. But these are just some of the issues, like I said, we met for 4 hours, so there were a lot of things that were discussed. What I'm looking at is probably having meetings more often and maybe just try to concentrate on one item at a time.

Mr. Burkhardt – The Committee of the Whole Report has been submitted to the Clerk.

**Committee of the whole**  
**March 9, 2006**

1. Council approved the minutes of the Mar. 2<sup>nd</sup> Council meeting, 5-0, Mrs. Howell and Mr. Asbach absent.

2. Dr. Romanos explained to Council what he would do for the City in regards to producing a vision for St. Bernard.

3. Mayor, John Estep, no report.

4. Auditor, Walt St. Clair

A. Council voted 5-0 to put an ord. on the table for an additional appropriation adj., and transfer of funds.

5. Law Director, Ed Geiser, absent.

6. Safety Director, Jonathan Stuchell, absent.

7. Service Director, Joe Kempe

A. Joe informed Council that he is getting bids on the Beech St. Project. He also informed Council that there will only be one polling place in St. Bernard and that will be the Main Level of the Municipal Building. Joe also is compiling a street repair report and will report back to Council.

8. Tax Commissioner, Sheri Williams, absent.

9. Public Improvements, Steve Asbach, absent.

10. Service, Kevin Meier, no report.

11. Safety, Bill Burkhardt, no report.

12. Finance, Greg Zix,

A. After some discussion on raises for the non-contractual full time employees, Council voted 3-2 against to give 5% raises to this group. Mr. Burkhardt, Ms. Brickweg and Mr. Zix voted no. This will be put back on the COW agenda for March 30<sup>th</sup>.

13. Laws, Contracts & Claims, Patty Howell, absent.

14. Highway & Transportation, Peggy Brickweg

A. Peggy informed Council that she is looking for contacts from civic and school groups for the Clean-up St. Bernard Day.

Respectfully submitted,  
Bill Burkhardt  
President of Council, Pro-Tem

## **COMMUNICATIONS – None**

## **RESOLUTIONS AND ORDINANCES**

Motion by Mr. Burkhardt, seconded by Mrs. Howell to read this evenings Ordinance by title only. Motion passed 7-0.

**ORDINANCE NO. 11, 2006. AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS TO PROVIDE ADDITIONAL APPROPRIATIONS TO CREATE A LINE ITEM AND ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.**

Motion by Mr. Burkhardt, seconded by Mr. Wilson to suspend with the second and third reading of Ordinance No. 11, 2006.

## **REMARKS**

Mrs. Brickweg – I know Walt said he was going to look into it, but I was just curious if we found out anything more about the hall rental line item? We had discussed that it would probably be better to have a line item where the money came in and the money came out from. Have you had a chance to look at that yet?

Mr. St. Clair – No, I haven't gotten with Glenna on that yet.

Motion to suspend passed 7-0.

Motion by Mr. Burkhardt, seconded by Mrs. Brickweg to adopt Ordinance No. 11, 2006. Motion passed 7-0.

## **OLD BUSINESS**

Mrs. Brickweg – After attending many Council, COW and Finance Committee meetings where the raises for the non-contractual employees was discussed, I realized, we are not doing the job we were elected to do. This issue has been talked about for almost over 5 months. In the mean time not much else has been discussed or worked on for our City. Many citizens have commented how long this process has taken and how can the City possibly improve is we cannot pass a simple pay raise Ordinance. For that reason, I will be changing my vote for 3% raises for all non-contractual employees. I still am not comfortable with giving out raises after the past two years of lay offs, service cuts, and tax increases but we must start concentrating on our City and the other items that we were elected to do. I hope by changing my vote for Ordinance #9, 2006 it will pass and we can start working on solutions to our City problems. This was a very difficult decision for me to make but I pray and hope it will help us move forward. I would like to make a motion to take from the table Ordinance No. 9, 2006 and vote on the passage of it.

Mr. Walden – We have a motion to take Ordinance No. 9, 2006 from the table, is there a second?

Mr. Burkhardt – Can we just take it off the table like that?

Mr. Geiser – Yes.

Mr. Burkhardt – I'll second the motion.

Motion by Mrs. Brickweg, seconded by Mr. Burkhardt to take Ordinance No. 9, 2006 off the table.

## **REMARKS**

Mr. Asbach- I'm hesitant because it was thrown on the table tonight, I know Mr. Wilson just asked tonight to discuss it at COW. Rather than put everybody on the spot, I would rather, I hate to delay it, I'm all in favor of bringing it back, unless Mr. Wilson is ready to discuss it tonight, I would just as soon discuss it at COW and bring it up that first meeting in April.

Mr. Wilson – I discussed this with Mr. Burkhardt and he suggested that I wait until COW to discuss it in detail.

Motion failed 2 – 5. Mrs. Howell, Mr. Asbach, Mr. Wilson, Mr. Meier, Mr. Zix voting no.

Mr. Burkhardt – At this time I would like to make a motion that we go into Executive Session following the audience participation to discuss purchase of property.

Mr. Asbach – I will second that.

## **REMARKS**

Mr. Zix – Can we also talk about the litigation I requested, both of those items?

Mr. Burkhardt – Yes, I will make my motion to include both.

Motion by Mr. Burkhardt, seconded by Mr. Asbach to go into Executive Session after the audience participation portion of the regular meeting to discuss purchase of property and pending litigation. Motion passed 7-0.

Mr. Asbach – Just a comment for Mrs. Brickweg, and I thought I had a copy of the Charter in my briefcase but apparently I have it at home, the reason that we went to the Charter form of government is so that we didn't have to change. I know statutory calls for, if you go under 5,000 you have all kind of changes that are involved. We went to the Charter form to avoid that so we could keep everything the way it was, our Health Dept., Council, everything like that. Without it here to look at, I'd almost, my life is not worth a whole life, I'd almost bet my life that that is exactly why we did go to the Charter form of government.

Mrs. Brickweg – You're right, we talked about that last night too. It was that and the what we talked about is, when I was talking to a woman down at the Board of Elections, we were one of the very few municipalities that just came in and didn't change anything. There is a lot of options that could be looked into. I mean, some of them are very minor, it even went down to, we're like one of the very few municipalities, when someone wants to run for election, you have to get 50 signatures. Well most of them realize that that really didn't prove anything so they decreased it down to 25 and it was all so I was just looking at different ideas and somebody actually asked at the meeting, how would that help us to have five Council people, I said you know, it could be good, it could be bad, it will save some money to begin with and it was just like I said a lot of things were looked into and it was just the idea of maybe looking at the Charter, a little more open minded. Some of the stuff might be good but then when we look at the past and everything that has been happening, maybe it's good to change some of the items too. But I wasn't picking at any but they just said it would be nice if maybe we could relook at the Charter and maybe look at some different avenues we could go down.

**NEW BUSINESS - None**

## **AUDIENCE WISHING TO ADDRESS COUNCIL**

Mr. Geiser – Just one note to follow up on Mr. Stuchell’s report. For those that didn’t know, the sirens that did go off the other day, it was a mistake. I know there was a lot of question about that but they had it on the news that the sirens inadvertently went off by accident. It was not a test, at that time of night, it was by accident.

Mr. Burkhardt – Due to there being five Thursdays this month, the next COW will be Thursday, March 30, but please don’t forget our March 23 special meeting.

Council went into Executive Session

Mr. Walden – Council went into Executive Session to discuss the purchase of property and current pending litigation. The regular session of Council is now back in session.

Motion by Mr. Burkhardt, seconded by Mrs. Howell to authorize Mr. Wiedmann to continue pursuing the purchase of property. Motion passed 7-0.

Motion by Mr. Zix, seconded by Mr. Wilson to accept the Finance Committee’s recommendation regarding the issue of current pending litigation.

## **REMARKS**

Mrs. Brickweg – I’ll be abstaining per Eddie’s, Ed Geiser’s advice. I’m not allowed to vote or speak on the matter.

Motion passed 6-0. Mrs. Brickweg abstained.

Motion by Mr. Wilson, seconded by Mr. Burkhardt to adjourn. Motion passed 7-0.