

**ST. BERNARD CITY COUNCIL MEETING  
MAY 19, 2005**

The regular meeting of the St. Bernard City Council was held Thursday, May 19, 2005 in Council Chambers.

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

Roll call showed that five members were present. Mr. Wilson and Mr. Schildmeyer were absent.

Mr. Walden – Before we begin with the regular order of business tonight, we have a special guest speaker, Mr. Michael Romanos, from the University of Cincinnati.

Mr. Romanos – Ladies and gentlemen of the Council and visitors, it is my pleasure to be here tonight. I want to give a brief report on a small project which I conducted with some of my students at the University of Cincinnati School of Planning. The purpose of which was to understand how St. Bernard has grown and developed over the years and what are the conditions of your Community today. I do not want to bring wisdom to Athens by talking to you about things you already know but I thought I would give you an outsiders view of what St. Bernard looks like today and what we think can happen with your Community.

I have prepared a power point presentation which is going to look very appropriate for this kind of arrangement so I have a handout distributed, I trust that you will be able to follow some of my comments.

The fifth slide in the handout gives a general sketch map of St. Bernard and shows that in the early years of the development of your City it actually consisted of two separate rural communities. Ludlow Grove and St. Bernard. It stayed like this for quite a period of time and, in fact, around 1828 the Miami and Erie was constructed and it divided with a natural divide of the two communities. They expanded and developed as primarily residential rural communities for a while until Procter and Gamble's Company, which at that time was not as internationally known as it is today, but it was producing soaps and other related products, bought a large piece of land north of Ludlow Grove and called it Ivorydale and intended to design and build an industrial park and an industrial community there. Very soon after the plans were prepared the industrial community component of that was discarded and P&G continued its plans to build a complex of factories instead.

The first major special characteristic of the community occurred in 1828 with the completion of the Miami and Erie Canals and soon afterwards around 1850 two German immigrants, Schroeder and Kleine had acquired a lot of property in the area, subdivided it and began the sale of residential lots with a dream to create a German Catholic Community in the place. Very soon afterwards, however, we began to have a major drastic transformation of the community because of the development of the series of lines of railroads. In 1851 we had the arrival of the Cincinnati, Hamilton and Dayton railroad. It was followed in 1861 by the Marietta and Cincinnati

railroad. In 1872 by the Dayton Shortline. These three railroad lines which intersected in the area of Ludlow Grove really decided the future of your Community because they created so much accessibility in the area around them that they attracted a lot of potential manufacturing plots to locate there. Now, the Canal had already provided some sort of transportation in and out of the area, but the Canal was a very slow type of transportation and it was also seasonal because part of the winter months it could not be used as well so, once the railroads came into the location they really transformed the accessibility and the character of St. Bernard and opened the area for a lot of industrial land uses. Not only did these industrial plants by coming into the area give the character of an industrial area to the City, but also they provided a lot of employment for the city's population and that in turn determined the character of the people who would live in St. Bernard for the rest of the century and beyond. So much so was the demand for industrial land and important to the community that some of the recreation areas that had been established at that point, there were two lakes in your community, the Ross Lake and the Chester Lake and they had to be filled to create industrial land which would then be sold to industrial developers. It really drastically changed the character of the community. P&G proceeded toward the Ivorydale development, built its original factories, produced a lot of employment for St. Bernard and then in 1893, Ivorydale was annexed into St. Bernard itself, so it became part of the community which had already been incorporated as the Village of St. Bernard.

By 1910 the population of the community had increased considerably. It had exceeded 5,000 people and St. Bernard proceeded to be incorporated as a City. That was accomplished by 1912. The population of the area continued to increase as industrial employment of the area continued to increase and it peaked at about 7,500 people around 1930. Actually, it is interesting when you see the demographics, I have slides, a couple of slides later which compares the population changes in St. Bernard because of the City of Cincinnati and Hamilton County, and as you will notice, St. Bernard grew quite fast. It almost increased the population of the town by 2 ½ times between 1900 and 1930. But then it started declining very soon afterwards while the City of Cincinnati did not peak in its population increase until 1950 after which it began to decline. Hamilton County, as a total, did not peak until 1970. It seems like St. Bernard accomplished things faster and began a relative decline faster as well.

Some important things that happened after the 1930s had again to do with industrial development of your City because by the end of the Second World War, practically all of the land had been built up. There was no more land for industrial development. One of the disadvantages of your Community is that it is land locked. You really do not have very much room for expansion and you dried the lakes, but that was about it.

Then came the major constructions in 1958, I-75 crossed the Community and took a lot of the land away from the residential commercial activities. In fact, until that time Ludlow Grove, which had been incorporated with St. Bernard, had quite a considerable amount of residential lots. Most of that residential lot disappeared during construction of the interstate. As if that was not enough, in the 1960s the Federal Government legislated urban renewal funds. St. Bernard like all the good communities around the country, decided to take advantage of these urban renewal funds. At the time we thought that this was going to be a rejuvenation of our declining

communities. We now know 40 or 50 years later that urban renewal by and large destroyed a lot of the nations' cities. St. Bernard was not an exception. Even though you use some of your funds to produce a master plan, in the 1960s by the famous Ladislav Segoe, that master plan called for some things which today we do not recognize as very fine new ideas any longer. First of all it called for you to demolish a considerable amount of pre 1900 housing stock and part of your commercial district and transform it into the St. Bernard Square, where the shopping center is today. It was considered a modern development at the time, but for those of us who live around the area and use the community's facility today, we know that that square has not fulfilled its promise to become the social and economic center of the community. In addition, the Master Plan called for a sort of modernization of the buildings and other structures of the community and so St. Bernard embarked in an effort to renew and modernize and redesign the facades of the buildings, cover the old facades with new materials and new design and very quickly within 10 or 15 years the City lost the Victorian pre 1900's character of the traditional community which at that time we did not think was very important but now we know that it gives a sense of space and a sense of place and we value it considerably. The construction of the St. Bernard Square had a number of implications for St. Bernard. First of all, it displaced a large number of commercial and residential buildings. Second it altered the character of your business district. Third, it brought in a sort of modernization and extensive area of parking lots and automobile domination which are not necessarily the best ways to insure the future of a down home community.

By the 1980's, in addition to having these major changes in the structure of the community, some of the industrial employers of the City began to restructure themselves, which was to be expected because all around the country manufacturing was reinventing, restructuring itself. Many of the small manufactures, for example, who were located in St. Bernard up until that time, decided to relocate and throughout the 80's you lost some of the employment to the suburbs or to other cities outside Ohio. P&G itself decided to downgrade and by the end of the 1990s it had decided to reduce or curtail a large percent of its manufacturing operations. Simultaneously, with all these changes in employment, population continued to decline. By the turn of the century with the 2000 census you had slightly fewer than 5000 people in your community. While P&G was reducing its manufacturing presence it decided to develop its research center which is now open and functioning and it probably changes the character of the community to a large extent, but the outcome of all these changes, as you know better than me, of course is that the tax base of the community has been undermined. We all know from what we read in the newspapers, for your efforts to reconstruct the tax base and strengthen the finances of the community again, in a City that was famous, not only within your community but all around Hamilton County and beyond, for an immortal community, for all the fantastic services that you can provide here, then you are still able to manage to provide. Personally, I would like to tell you that I live two blocks from St. Bernard in North Avondale, I know that when it snows all I have to do is get out of my street and into St. Bernard and then I can go anywhere I want. Very often I wish I were living closer so I could use the brown buses that will take everyone with grey or white hair around so you don't need to depend on your own private automobile. You've done

a terrific job so far and hopefully some of this work that you have done can help you to continue to do so in the future.

As we are looking at St. Bernard, not just historically but regard to its future, we recognize that there are some constraints that you have for your future development. One of these constraints is of course that the tax base that you are losing may not be very easy to replace, although not impossible. As we all know, Norwood had a crisis even worse than yours 15 years ago and it has been able to recover miraculously and is doing very well today with much more and better prospects for the future. Just losing the tax base of one type of economic activity does not mean that it cannot be replaced with something else, especially if the land can be used for alternative purposes in the future. Other than that land you really do not have much land to develop. Communities around the country which have been very successful in economic and sustain a development, Portland comes to mind because everybody uses it as an example, have been able to create pacts with neighboring communities. Even though they do not have very much land for industrial development themselves, if an industrial developer comes into the City and says I want 100 acres to apply for a new plant they will send him to Vancouver across the river with which they have a development pact. The pollution stays on the other side of the river, Portland provides some of the funding for the infrastructure and both communities share their resources. It's a model that more and more places could consider. A model which our county jurisdictions will need to consider in the future. More cooperation, more partnerships.

Your population loss is continuing but its not irreversible and we'll talk in a few minutes about this. It is actually possible, not only to increase it again, but to increase it even more than what you had in the past. You are lacking a center which will be characterizing the community as a cohesive and independent unit. There is no social or economic center that can be distinguished, although the St. Bernard Square was supposed to do that. It has not been able to perform the function, and related to this, a retail district, a vibrant, active, interesting, attractive retail district is missing from St. Bernard.

Another characteristic which may be a challenge but also creates an opportunity, is how your population pyramid is changing. As you notice in one of the slides I gave you, you have almost 17% of your population belonging to your retirees group. That is a tremendous resource for your community, not only because the retirees are a stable population, but also because they carry two things with them. Number 1, a keen interest in the future of the community and number 2, the ability to devote time and provide the continuity that will make the community a better place. Even though retirees require more services, at the same time they contribute more on a per capita basis to the community not just in terms of financial resources but also in terms of social resources. Now the other factor is this, all of your population demographic director is this, and I have a table there that shows them, the median family income for St. Bernard is considerably higher than that of Cincinnati and very close to Hamilton County itself and that is significant because Hamilton County contains some very wealthy pockets of communities. Therefore, that indicates that the income levels of St. Bernard are very acceptable, very desirable. There is an homogenous of your population. Almost 92% of the population is white, very small other races are represented. On the other hand this has been predominately a working community so the percent of your college graduates is considerably

lower than that of Cincinnati and Hamilton County which means that there is a lot of potential for reorganization of your family structure and more education, different types of employment as reorganization takes place. In the map that I have attached after that, I have tried to identify the predominate land uses. Commercial and industrial are the darkest color, institutional as grey and then residential as lighter grey. It is obvious from this map that on a proportional basis you have very little housing left. Even though you are probably very interested in having more housing developments and I see these myself because every time you have an opportunity or you find a piece of land which is vacant, you manage to build a very nice new house there and have a new family move into the City. That is a great plus. But there isn't that much that you can do because a lot of land is institutional, you have two huge cemeteries and the rest of it is industrial. You may want to continue with industrial land because that will produce more employment in the future or you may want to consider changing some of that industrial land into alternative uses which will allow you to embark in other types of activities and change the character of the community accordingly.

You have some real assets in St. Bernard. The predominate asset of your community is its own location. You are within the heart of Cincinnati. You are considered one of the oldest communities, like what we call the First Suburbs today. You have various transportation connections, both in terms of highways and also in terms of public transportation and that transportation accessibility and that proximity to important sites such as the Uptown location which is now being redeveloped is only going to have good implications for St. Bernard. The second is the character of your community. You've managed to maintain this small town character which is a wonderful feeling you get out of the main road and into the neighborhoods and you have the feeling that you are in a small town, not in a metropolitan area of over a million people. That's an exceptional characteristic. I hope and I highly ask you to continue to maintain it and encourage you to expand even further. The third attribute is your housing stock. It is beautiful housing. Not only is it beautiful housing and the residents of your community have managed to maintain it at top shape, but it also is, comparatively speaking, cheaper than the rest of the region. If you look at this table that I have produced, for example, for comparable houses, the median home value in St. Bernard is \$91,000 versus \$93,000 for Cincinnati, \$111,000 for Hamilton County. You have very low vacancy. Less than 6% as compared to almost 11% for Cincinnati, even lower than Hamilton County as a whole, which is a little over 7%. On the other hand, owner occupied housing is low comparatively. That means that you have more transient population and if that is continuing in the future, that might threaten the vitality and the quality of your neighborhoods, because people who are long term renters or temporary renters do not have the same kind of commitment and love for their community as people who have made the greatest investment of their lives in buying a home.

Another asset is the walkability of your community. You literally can walk everywhere. I walk everywhere into your community from North Avondale, I go shopping in the little grocery stores, I fix my shoes, I go to my bank and deposit checks, it is an opportunity for exercise, but it is also a pleasant way to do it this time of the year. Every garden has produced different colors of flowers and so on. It is very important that this is a community the size and the scale and the traffic patterns of which allows you to do this. I assume St.

Bernard residents have better health than the rest of the cities because of that. Yet another attribute is the social capital. The interest of your community in the community itself. The actions of the local groups, the community character, the neighborhood characteristics, all these show a cohesiveness which big cities like Cincinnati could not possibly exhibit. To get out of the housing issues and into commercial development we think that even though there has been quite a bit of transformation in the store fronts along Vine St., there is still a tremendous potential for Vine St. to be transformed into a very vital, very attractive, very beautiful local retail business district. That probably is going to be one of the fundamental decisions that you can make in the future because by making this decision you will change the focus of the commercial activities, from the plaza into the street itself but other places like Montgomery and Mariemont have succeeded very well in doing that and turning their street into the commercial heart of the community. This is probably a very good possibility for St. Bernard itself. If you were to do that, then a redesigning plan will have to be done for the commercial district of St. Bernard along Vine St. and I can just give you a hint that in the School of Planning, a lot of professors are doing studios every year for which they are interested in finding exciting topics for the students to work and I could put a good word in for you if you are interested in having a studio study St. Bernard's components and come up with some ideas and recommendations. If this were to happen, then the St. Bernard Square has a tremendous potential to be transformed into the center of your community. Think of it as a combination plaza and park and gathering place and garden and festival place. It is a very large land area and now it is a public area so it could be transformed into a real social center for the community, heart of the community connected to the business district, probably maintaining some of the economic functions but not being a parking lot as it is now.

The history of your community, I think is very important, not just for the business district itself, but also for the housing stock. New houses that you have been building throughout the community, by and large have respected that, you understand it yourselves. Most of the new developments that I see around St. Bernard try to maintain this traditional architectural character and mesh with the rest of the architectural structures and I think that this is going to be very important in the future, especially if you want to have more housing construction. I think predominant or more obvious, and the students and the faculty who work in this project, felt that it would be at the top of your vision for your community, is to be able and make an effort to maintain the small town character of the community. Don't let it become just part of the major metropolitan area. Make it very clear when one leaves Cincinnati and enters St. Bernard, not just with banners, but by showing through the landscape, through the preservation of the architectural stock how important the character of the community is for you.

Two more things, periodically I have participated in activities in St. Bernard like Church festivals, I bring all my friends around at Christmas to take pictures of the magnificent light display in the neighborhoods. This has not become systematic, they have not been organized. There is a lot of potential here. Farmer's market in the summer, fall festivals, Christmas celebrations, a lot of festivities which if are not just periodical, but are systematic every year so that people will know, like in Lebanon. They know that the first or second week of Christmas there will be a major parade and people are counting on going there. There isn't anything like this for St. Bernard that

people will put on their calendar. The second week of November we are going to go and get free corn in St. Bernard, let's plan this. I think that's very important for the sense of community that you want to maintain. And last, but not least, keep fighting for the new library. We can all use it. Thank you very much.

Mr. Walden – Thank you very much for all of the work that you and your students have put into this project. Thank you, sir.

Mr. Burkhardt made a motion to suspend with the reading of the minutes. Mr. Stegman seconded the motion. Council agreed. 5-0.

## **REPORTS OF CITY OFFICIALS**

MAYOR, John Estep – No report.

AUDITOR, Walt St. Clair – The month of April report for the City's investments has been distributed to Council members and certain members of the Administration. The report for the balances in the City's various bank accounts has not yet been completed.

Before Council tonight is Ordinance No. 22, 2005. As discussed in the COW this Ordinance adjusts two appropriations for the Police Department.

DIRECTOR OF LAW, Ed Geiser – In addition to Ord. #22, you have before you Ordinances #20, and #21. Ordinance #20 is the application to enter into an agreement with Hamilton County for a community block funds. Ordinance #21, Mrs. Kalb will have more to say about, but that is amending Chapter 505 regarding the dog and cat ordinance.

We have officially received the certification from the Board of Elections of the election on May 3<sup>rd</sup>. Just to review this, the increase of the .1 levy, the number of votes for was 762, votes against 418. There were 1180 votes. That is about 64 ½% in favor. The increase in the millage has also been certified. There the votes were 727 in favor, 453 against same exact amount of votes. Right around again 64% in favor.

At the COW last week I spoke to Council about a new law that went into effect in Ohio and it had some questions about it. Some people inquired about it so I'm just going to briefly state it again that on April 29, 2005 House Bill 473 became effective. This is the sexual offenders living within 1000 ft. of a school are now required to move. This law provides for the legal authority, which is the legal counsel for the government subdivision to obtain an injunction to evict registered sexual oriented offenders and children victim oriented offenders and the residents within 1000 ft. of an elementary of secondary school premises. This law went into effect April 29, 2005, and in working along with the Hamilton County Prosecutors Office which I am also a member, we are going to be working together to put this law into effect. This law has already been challenged in the Courts but as far as right now it is still in effect and we will be moving on it relatively quickly. If anybody wants to learn more about those sexual offenders or predators living in your area, I encourage you to go to the Hamilton County Sheriff's Office web site, that is, [www.hcso.org](http://www.hcso.org) click on their quick links and look up sexual offender and it lists all the sexual

offenders by zip code and gives you a picture and a brief history of what they have been charged with.

TREASURER, Tim Bollmer – No report.

SAFETY DIRECTOR, Beth Luken – St. Bernard Fire Department Monthly Report for April 2005. There were 67 Life Squad runs, 29 Fire runs, 3 Service Calls, 2 Commercial Fire Inspections. The St. Bernard Fire Department in conjunction with Cincinnati Specialties held a simulated chemical release drill on May 4<sup>th</sup>. Through such exercises, the Fire Department is working to insure your safety from the hazards of chemical releases in our community.

I would also like to take this opportunity to inform Council that we have received a resignation letter from Officer Chatman this week. He has accepted a position with the University of Cincinnati, I would like to thank him for his service to the City and wish him well at UC.

SERVICE DIRECTOR, Joe Kempe – The Holiday Activity Committee will be sponsoring the annual Memorial Day Parade on Monday, May 30<sup>th</sup>. Anyone interested in being part of the parade, especially any veterans, please contact Glenna McCarty or myself, Joe Kempe, at City Hall by calling 242-7770. We will be assembling at Park Place at 9:00 a.m.

Also, the Holiday Activity Committee will be holding a Texas Hold' em tournament on Saturday, June 4<sup>th</sup>. We ask any interested card players to arrive at the pavilion between 5:30 and 6:00p.m. The tournament will begin promptly at 6:00 p.m. Food and refreshments will be provided and are included in the fee. The cost is \$50 to play and \$12 to watch. All proceeds go to the Holiday Activity Committee.

I would like to thank Dave Scherpenberg, owner of Scherpies, for donating the flowers being planted at City Hall, the Municipal Building and the swimming pool. Thank you so much for your commitment to the City.

TAX COMMISSIONER, Sheri Williams – No report.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Phil Stegman – Monday and Tuesday of this week the Finance Committee met with the Administration and Department heads to go over the 2006 budget. All the numbers were given to myself, the Committee and the Auditor. Mr. St. Clair will tally those in a spreadsheet and we'll be giving dates for the next time we meet at the COW when he gets the final numbers on all the different line items.

SAFETY, Bill Burkhardt - The following is the Police report for April. We continue to provide the best service level possible. With cutbacks and officer departures there are many times when we only have two officers on the road which decreases our response time. We ask for your patience if we can't get to you as fast as we can, dispatchers and supervisors are doing the best job of prioritizing runs that they can. If you will please let the dispatcher know the seriousness of the run this will help us.

We are noticing a lot of increased juvenile related complaints around Tower and Sullivan and Delmar Avenues. Please call us when these incidents

occur and do not try to engage in correcting situations yourselves which can escalate matters. Call us and we will use the tools available to us.

Also at the next COW I would like to discuss the issue of age limits for the Police and Fire tests at which time I hope to have a final decision on this matter.

SERVICE, Glenn Wilson – No report.

PUBLIC IMPROVEMENTS, Mike Schildmeyer – No report.

LAWS, CONTRACTS AND CLAIMS, Barb Kalb – The Laws, Contracts and Claims Committee recommends that Ordinance 21 take its regular course this evening. The Committee will meet next Thurs., May 26 at 6:30 in the conference room to discuss definitions of residency.

BUSINESS AND INDUSTRY, Peggy Brickweg – This past week has been a rather busy one for me. I attended Cincinnati Specialties' CAP meeting on Tues. night. The guest speaker was John Snawder who spoke on "Toxicology" which is the study of the adverse effects of a toxicant on living organisms. The reason for this presentation was so we could learn the effects if there was ever a chemical release from a chemical plant located in St. Bernard.

PMC also informed us that they had a "drill" with the St. Bernard Fire Department on May 4<sup>th</sup>. They did a simulation of a chlorine leak in a tank car. After talking with safety director of PMC he told me that many issues came up and they are working on ways to rectify them. He said they will have to find ways to adjust to our lower manning levels. He said past drills our City had eight men and on May 4<sup>th</sup> they only had five. He wanted to thank Fire Chief Scherpenberg, who stepped aside from being the chief on the scene to being a fire fighter which enabled them to do the drill. His main area of concern was with fewer men on the scene, if we have an incident and they have to wait for mutual aid the added time could make a large difference in property loss at his plant. After some discussion we agreed it would be very helpful for the City to send out a letter to the industries asking them what safety requirements they depend on St. Bernard for. Since Mr. Stegmen had offered in the past money to put in a line item for this, I told him that it would probably not be a problem. I will try to come up with the number for postage and stationary and hopefully ask the Fire Dept. if they could handle this for us. I will also check with the Business Chamber on the amount of letters they think would need to be sent.

The Business Chamber met on Monday night and they are still looking for businesses to sponsor flower pots around our City. Feel free to contact me at 242-5183 if you are interested.

I am also continuing to work on finding new grants. Currently I am looking into a street grant and a safety grant. I will let you know when I get more information.

If you live in Ward 2, I started passing my Spring Newsletter. I hope to have them all distributed by the end of this weekend, weather permitting.

HIGHWAYS AND TRANSPORTATION, Greg Zix – No report.

BILL BURKHARDT – The COW report has been submitted to the clerk.

## Committee of the Whole

May 12, 2005

1. Six members were present, and approved the minutes of the May 5<sup>th</sup> Council Meeting, 6-0. Mr. Burkhardt was absent.
2. After some discussion, Council agreed to have the Safety Committee look into changing the age limits for the Police and Fire Depts.
3. Mayor, John Estep, no report.
4. Auditor, Walter St. Clair
  - A. Council agreed 6-0 to put an ord. on the table to transfer \$34,173.00 from police employee line item to police comp. time. This is based on the addendum to the agreement with the Police Dept.
5. Law Director, Edward Geiser
  - A. Ed informed Council that the Ham. County Prosecutor's Office is looking into sex offenders in the area and making sure that they do not live within 1000 feet of any schools.
  - B. Ed also asked to go into Executive Session to discuss C-9 Trust Fund. Council agreed 6-0.
6. Safety Director, Beth Luken
  - A. Beth is looking into part-time employees for the Police & Fire Dept. and will report back to Council when she has More information.
  - B. The Fire Dept. is asking for \$10,000. so that they can keep the minimum manning at 6 men. The Finance Comm. will look into where the money will come from.
7. Service Director, Joe Kempe
  - A. Joe informed Council about the OKI highway project for I-75.
8. Business & Industry, Peggy Brickweg
  - A. The UC committee will be at the next Council meeting.
  - B. Council voted 6-0 to put an ord. on the table so that we can apply for the next round of grant money from the county.
9. Public Improvements, Mike Schildmeyer, no report.
10. Service, Glenn Wilson, no report.
11. Safety, Bill Burkhardt, absent.
12. Finance, Phil Stegman
  - A. Phil announced the dates for the upcoming Finance Comm.. Meetings.
  - B. Asked about the letter from Bill Gierhart. It will be read at the next Council meeting.
13. Laws, Contracts, & Claims, Barb Kalb

- A. Discussed the dog & cat ord. and will discuss it at the next COW meeting.

14. Highways & Transportation, Greg Zix

- A. Still getting information on funding through OKI
- B. Asked that the dept. heads to be at the next COW meeting to explain their budgets.

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

## COMMUNICATIONS

This letter is addressed to the Council Members. It concerns two items. The first is the failure of Council to, in my opinion, follow the proper rules for passing Ordinance No. 18, 2005. Mrs. Kalb stated in her remarks that the Ordinance would take its regular course of three readings. At that point I was relieved that I did not have to get up and speak off the cuff. I would have time to go home and prepare my remarks. Then to my dismay Council voted to pass this Ordinance. After talking with Mrs. Kalb after the meeting I got two impressions. Number one, that Council was just relieved to finally pass the Ordinance even though Mrs. Kalb indicated that it would receive three readings. Number two, that there was no recourse to allow the Ordinance to have another reading.

I know that except for my fellow garbage men and, yes, I call myself a garbage man, no one really cares about the new Section 2 #923.04 (a) of Ordinance 18, especially our Honorable Police Chief. Thanks to his wise input our citizens could now neatly bundle a 15-foot long piece of carpet or wood. And the reason why? Because our Honorable Chief doesn't want his men to carry a tape measure. If you remember when this all first started we weren't complaining about bundle size, and asking the Police to enforce the size of a bundle. It was about when people were setting their garbage out and leaving their cans out. Mrs. Kalb set out to get input from all involved and did a wonderful job in writing an Ordinance. But then we had to get the Police Chief's opinion on what can be enforced. (which was the right thing to do) Now remember, all the garbage men wanted was that the bundles be of reasonable size, example 3 to 4 feet. Its not as if someone would put out a 5 foot roll and we were going to call the cops and have them write out a ticket. I guess some people think that because we are garbage men we have no common sense or that we would have nothing better to do than call our Police every fifteen minutes when someone violates this Ordinance. Please let's get real. I guess now, when I come across one of those 15 foot neatly bundled rolls of soaking wet nasty carpet I'll see if my driver will call the Police and see if they can help me throw it in the back of my truck. (HaHa). Now again, I realize that except for a couple of the people, that this is trivial, but if we can't cooperate and get the little things right, how can we expect you to get the really important things right?

Sincerely,

Bill Gierhart

Motion by Mr. Stegman, seconded by Mrs. Kalb to receive and file the communication.

### **REMARKS**

Mrs. Kalb – I want to apologize to Mr. Gierhart for my mistake in saying I wanted Ordinance #18 to take its regular course. I made that statement at the COW meeting, not at the Council meeting. By the time the Ordinance was prepared I realized that the Ordinance needed to be passed before the fliers that were prepared by the City were delivered on May 9<sup>th</sup>. I had forgotten my earlier statement that the Ordinance going regular course. If I had remembered it I would have corrected myself at that last Council meeting. I've also spoken with the Chief of Police about this letter. I apologized to him for allowing him to be blamed for the removal of the restriction. The Committee's job was to revise the Chapter about garbage collection so that it could be more easily enforced. The Committee recommended changes based upon input from the Service Director and the Police Chief. While I was rewriting one section I began to evaluate other sections of the Ordinance. The Committee repeatedly talked about having an Ordinance that would be enforced. In some cases that meant having a more general Ordinance without all the detailed rules for collection. I'd remembered the Police Chief's concern last fall when we put the length restriction in, about having to measure the length of certain bundles of trash. We wanted to give the Service Director the discretion to change collection rules if he needed it without having to amend an Ordinance every time something changed. So based on that reasoning, and the fact that it was my understanding that the City did not have the intention of strictly enforcing this length limit the committee recommended that the restriction be removed. As Mr. Gierhart stated in his letter, they weren't going to call the cops if someone would put out a 5 foot roll of trash. If it does become a real problem, then the Ordinance does give the Service Director the power to set the rules for collection and he can mandate a length restriction as needed. It was never the Committee's intention to place an undo burden on the Service Dept. and I'm very sorry about this misunderstanding.

Motion passed to receive and file the communication 5-0.

Dear Council Members and Fire Chief

In these times when St. Bernard is so divided and morale is so low I would like to share with you a story that will warm your hearts and bring back some of the sense of pride St. Bernard once had.

On March 31, my ten year old daughter Miranda, in a back yard accident, completely cut off half of her right ring finger. In my distress I called 911 who transferred me to St. Bernard police dispatch who then dispatched the St. Bernard paramedics. Who responded very quickly, (but to me it felt like a life time) These two gentlemen did their jobs above reproach, they were, calm, collected and extremely efficient.

Upon arrival at Children's Hospital, I was concerned about what my 12 year old son had told my mother (who is also from St. Bernard and has a heart condition). I knew she would be in the waiting room seriously stressed and worried. Paramedic Mirick offered to go to the waiting room and get my mother so I would not have to worry about them both. I thought this was

above and beyond the call of his duties as a paramedic. It also showed a great sense of compassion.

According to the surgeon, who reattached Miranda's finger, had anyone of these wonderful people not done their jobs as well as they had, she would have lost her finger for good. Miranda spent nine days in intensive care and was sent home to continue recovery. We have just been told she is out of danger of losing that finger, but she still has a long way to go on the road to recovery and at least one more surgery.

We all should take pride in our Fire Department, although they have faced cuts that I am sure has affected their morale, it has not affected the excellent care and compassion that they provide to us all. The cuts may be easier to swallow if we show them all how much they are appreciated. I personally would like to thank Captain Mirick and Paramedic Dave Holt and commend them on their professionalism and their outstanding work ethic.

With great gratitude  
Sincerely

Tina C. Kovach

Motion by Mr. Stegman, seconded by Mr. Burkhardt to receive and file the communication and send a copy to the Fire Dept. Motion passed 5-0.

Dear Mayor Estep

Last Friday afternoon we had a fire at our scrap yard. I want to express our deep appreciation for the efficient and professional way they put the fire out with very little property damage and no injuries to any people.

We feel very fortunate to have our business in St. Bernard where, when necessary we can avail ourselves of your City's services.

Please convey our thanks and gratitude to the Fire Department for the competent and professional way they performed last Friday.

Sincerely,

Mark Moskowitz  
Moskowitz Bros., Inc.

Motion by Mr. Stegman, seconded by Mr. Burkhardt to receive and file the communication and send a copy to the Fire Dept. Motion passed 5-0.

Dear Mayor and City Employees,

I called to have a large ladder picked up and also a large air conditioner and in no time they were there and did this and I couldn't even buy their lunch. Such service. I could never have voted for layoffs. Also when a lady came to my door from Louisiana and wanted me to vote for education and in no time the Police were there and got her to leave. We sure need all these good men and I'm forever grateful. Nowhere else could we get this kind of service. Thanks a million.

Sincerely,

Mrs. John Brecht

Motion by Mr. Stegman, seconded by Mr. Burkhardt to receive and file the communication. Motion passed 5-0.

## **RESOLUTIONS AND ORDINANCES**

Motion by Mr. Burkhardt, seconded by Mr. Stegman to read this evenings Ordinances by title only. Motion passed 5-0.

**ORDINANCE NO. 20, 2005. COOPERATIVE AGREEMENT FOR PARTICIPATION IN HAMILTON COUNTY COMMUNITY DEVELOPMENT PROGRAM.**

**ORDINANCE AUTHORIZING THE MAYOR/SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT OF COOPERATION WITH HAMILTON COUNTY, OHIO, PURSUANT TO PROVISIONS OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.**

Motion by Mr. Stegman, seconded by Mrs. Kalb for Ordinance #20, 2005 to

**ORDINANCE NO. 21, 2005. AMENDING AND/OR ADDING CERTAIN SECTIONS IN CHAPTER 505 OF ST. BERNARD'S CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.**

Motion by Mrs. Kalb, seconded by Mr. Burkhardt for Ordinance #21 to take its regular course.

## **REMARKS**

Mrs. Kalb – I want to thank the Committee, the Police Chief and especially Carol Ungruhe for all of their help in helping me prepare this Ordinance. I would like to explain some of the changes that are being made to the sections of the Codified ordinances. It was brought to the Committee's attention that certain citizens were having problems with cats damaging outdoor furniture, digging up gardens and creating other nuisances in the City. I have had several comments about cats, either strays or cats that are allowed to roam by their owners, causing damage. After researching other municipalities' laws in the state of Ohio, the Committee recommended certain changes to the codified ordinances. The Committee decided that the City's current laws were adequate, however, they only pertained to dogs, so we made the decision to update the City Code and include cats whenever we thought it was necessary.

The new code requires owners to maintain proper supervision of their cats and dogs. They have to confine the animal to their premises or have it on a leash or tether to keep it from roaming the neighborhood. We have authorized the Safety department to impound dogs and cats that are roaming and causing a disturbance. The animals will be taken to the SPCA. The owners can retrieve their animals from there, if the owner is known. In addition, we have included cats in section 505.09 of the Code, barking or howling. Any excessively loud noises by dogs or cats that disturb the peace are not permitted.

During my research I found out that the Board of Health already requires that all cats and dogs over the age of 6 months be vaccinated against rabies. Our Ordinance only requires that dogs be vaccinated, so we amended the Codified Ordinances to be consistent with the Board of Health regulations. All dog and cat owners have to have their pets vaccinated and must display proof of the vaccination by attaching the tag given to them by the vet to a collar on the dog or cat. They also have to have proof of vaccination available if needed.

Finally, the Committee recommended restricting the number of cats and dogs that can be kept on a premises in the City. Many other Cities restrict the number of cats and dogs, so after evaluating all the different restrictions, the Committee recommended that no more than any combination of 4 cats and/or dogs be allowed.

Violations of certain sections of this Chapter of the Codified Ordinances vary. Some are a minor misdemeanor, others are a minor misdemeanor for the first offense and a misdemeanor of the fourth degree for subsequent offenses and other sections have a harsher punishment. It depends on the section of the Code that is violated.

That pretty much explains all that we have recommended here.

Motion to have Ordinance No. 21 to take its regular course passed 5-0.

**ORDINANCE NO. 22, 2005. AUTHORIZING AND DIRECTING THE AUDITOR TO ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.**

Motion by Mr. Stegman, seconded by Mr. Burkhardt to allow Ordinance 22, 2005 to take its regular course. Motion passed 5-0.

## **OLD BUSINESS**

Mrs. Brickweg – I have gathered information and provided copies to the Administration and Council regarding the City of Cincinnati's Vacant Building Maintenance License. I am also reviewing the City of Cincinnati's Citizens' Guide to Community Action which is available on their web site. This guide shows how Cincinnati addresses nuisance complaints and neighborhood blight. These seem to be two problems that the City of St. Bernard is facing. I will also be attending a presentation next Thursday on eminent domain issues and how they can affect redevelopment projects and the use of TIF financing on projects.

My first experience with a nuisance property was with the problems at 4419 Greenlee. After much work by the Police and their Attorney and the citizens reporting problems to them, it appears the problem is on its way to being corrected. There now is a For Sale sign on the property. I also have been getting complaints about the Boehm Deli property on Sullivan. I forwarded these complaints to the HIP Inspector and Health Inspector and orders have been written. There have also been complaints about vacant buildings and properties in St. Bernard. I would like it put on the COW meeting to review Cincinnati's Vacant Building Maintenance License as a possible way to help clean up our City.

Mr. Geiser – Just two things, I forgot to ask in my report, I need to speak with Council in Executive Session after the Council meeting regarding litigation.

Just to follow up on Peggy's comments, the Attorney, Mr. O'Shea, who works for me for that. I got the bill for all that work he did on that Property, he charged us zero. He waived everything. Its pretty impressive. He knows we're in a financial crunch and he's been doing a lot of work for free, which is unheard of in the legal profession.

Mr. Stegman made a motion to go into Executive Session after the Council meeting. Mr. Zix seconded the motion. Motion passed 5-0.

## **NEW BUSINESS**

Mr. Zix – I have distributed the April budget tracking tool to all of Council and the Administration. Overall for the General Fund we are tracking to overspend by \$620,000.so far. I will request that each Dept head that is responsible for their dept. overspending trend to be present at the next COW to explain their recovery work plan.

I would also like to talk about next week at the COW meeting, a five year Financial Vision. I believe we need this vision in place to continue on.

Mrs. Brickweg – I would like to congratulate Police Chief Steve Moeller. The reason he is not at this meeting is because he is at the Sharonville Convention Center receiving an award from the Fraternal Order of Police at their annual banquet. Steve was nominated by his peers throughout Hamilton County. He received this leadership award for his efforts in obtaining accreditation for the St. Bernard Police Department and for avoiding layoffs during the budget crisis.

## **AUDIENCE**

Norman Miller, 219 Washington Ave. – Tonight I was kind of inspired, the gentleman that you had speak today, he had a vision that I can remember as he talked through this year after year, what St. Bernard was all about, what we thought it was going to be all about. This had nothing to do with this Council, previous Councils, going back to 1945 and beyond that that I can remember, didn't seem like we had any kind of a vision and this gentleman was trying to relate to the vision that we should've had and didn't have. Meaning that we tore down historical buildings, one of I can remember clearly was the old City Hall, the Show House Building was an historical building, the overhang out front, all of these places were torn down, what do we have, we have a walled in parking lot. He mentioned these shopping malls, it reminds me of a strip mall that you go anywhere in Florida and see a bunch of concrete buildings built in behind it. What I am getting at, is this Council and the Council's forward get some kind of a vision to bring St. Bernard back to where it used to be. I think we just don't think and when somebody wants to build something, he just builds it. The historical look that is going into West Chester, West Chester is so commercial, the stores and what have you, now they want to put a street in that looks like St. Bernard used to look. It brings me to the point that we can't do any of this, we can't do any of this, your working on a budget for 2006, we can't do any of this, we can't even think of doing any of this unless we have a vision to

put money to set aside for things like this. I think the budget for last year to do capital improvements to do things like this, we probably didn't with the million dollar budget that we have we probably didn't have probably less than 5% for capital improvement. I would say its more like 2%. We can't create any of these things. Peggy talks about these grants that we get, we can't depend on grants. Grants are icing on the cake if you get them, with the State of Ohio's crunch, grants are few and far between anymore, so I think that the budget is that we look forward and maybe it will be 5 year plan, 8 year plan, but we have to put big dollars aside to create this. We can't have a 5% capital improvement budget if we're going to look forward to what this City needs, a lot of history here, and if you close your eyes and your old enough you can see what we used to have and what we tore down and why we tore it down. We didn't have any vision at all. It just seems like we tore it down and whatever we could do with it we did it and we ended up with almost nothing but St. Bernard is not dead yet, there are generations coming on and we can look like Mariemont, we can look like Sharonville, we can look like any of them, but we have to have dollars to do it and the budget has to show those dollars or going no where fast.

Mr. Stegman – Norm, I did like the gentleman's comments too, tonight. They were very refreshing of all the old and new that has come into the Community. I hope that the Administration and somebody gets a hold of who those extra kids were that could do some kind of development of the rest of like the Vine St. corridor and a vision and a landscape of the Community. The gentleman said that he can possibly put that in somebody's class and have them work on it and I hope we take a step forward to find out what can be done, so we know what kind of money we're talking about. Let's see if we can get that gentleman to put a bug in that teacher's ear and put it in his classroom.

Mrs. Brickweg – I can call him tomorrow and ask him if he can set that up and in all honesty, Mr. Miller, the City paid back in 1998, Hamilton County to come up with a vision and a great plan and I have a copy and nothing was ever done with it. If I can I'll try to get it and make some copies and maybe we should look at that because it had a lot of the ideas, Texas Catalina who helped write the plan was sitting in the audience. That is a plan that was presented to the City of St. Bernard but nothing was ever done with it.

Norm Miller – Is there a way I can get this gentleman's mailing address, I'd like to send him a nice letter?

Mrs. Brickweg – I'll get it for you Mr. Miller.

Mr. Zix – I agree with Mr. Miller, also. That is why I hope next week we can start on a vision, a financial vision, that we know we have many variables that are needed to be put in places to start out with. We know some of the things, salaries and different things are going to stay in place and then we can start to project our income. Also looking to what we can plan for the future where we need to raise more income. I think we really need this financial plan and I agree with you 100%. Thank you.

Motion by Mr. Burkhardt, seconded by Mr. Stegman to excuse the absent members. Motion passed 5-0.

The next COW meeting will be Thursday, May 26, 2005 at 7:30pm.

Council went into Executive Session.

Mr. Stegman – I would like to announce that we will have a Finance Committee Meeting on Wed., May 25, 2005 at 7:00 p.m. As soon the meeting takes place it will go right into Executive Session and it will be a meeting in Executive Session for litigation.

Motion by Mr. Stegman, seconded by Mr. Zix to adjourn. Motion passes 5-0.