

**ST. BERNARD CITY COUNCIL MEETING
JUNE 15, 2006**

The regular meeting of the St. Bernard City Council was held Thursday, June 15, 2006.

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

Mr. Walden – Before we proceed with the regular order of business tonight we want to honor one of our home town hero's , Tyler Hausfeld, and I will turn the meeting over to the Mayor, John Estep.

Mr. Estep – We had an incident at the swimming pool right at the beginning of the year where a child wandered away momentarily. Tyler was the first one to notice him face down and he alerted the Life Guard, Kelsey Keiner and she performed CPR and it had a great ending and we really want to thank Tyler and before the proclamation, we have already awarded Kelsey Keiner at a previous meeting so now we want to award Tyler. At this time I would like Tyler and his family to step forward. I have a proclamation for Tyler at this time that I would like to read.

WHEREAS, it is one of the responsibilities of the Mayor of the City of St. Bernard to recognize occasions of outstanding significance; and

WHEREAS, *Tyler Hausfeld* has given all that is possible through word and deed, and is therefore an example of true and faithful service for all of us, as well as for future generations to follow, and

WHEREAS, today, it fitting to honor *Tyler* and recognize him for his quick thinking under extreme stress, his dedication to his fellowman on Memorial Day, May 29, 2006, while swimming at the St. Bernard Aquatic Center, and

WHEREAS, *Tyler Hausfeld* a ten-year old student at St. Bernard Elementary, has spent many enjoyable summer days at the St. Bernard Aquatic Center over the past years as a patron of the pool, and it is our good fortune *Tyler* was enjoying that afternoon swimming, and

WHEREAS, May 29th began as an ordinary day at the pool, but quickly developed into an extraordinary day , when a two year-old boy was spotted floating face down in the swimming pool, and

WHEREAS, *Tyler* spotted the child and quickly summoned the life guard to the scene which changed an otherwise tragic outcome for a local family and for the St. Bernard community – for the boy was pulled from the water and Cardio Pulmonary Resuscitation could be administered, and

WHEREAS, it is customary to honor citizens who make significant contributions to their community and their fellowman, and

WHEREAS, congratulations and adulation is due *Tyler Hausfeld* upon this occasion, and for outstanding dedication and devotion to our City and his fellowman, and

NOW THEREFORE, I, John R. Estep, Mayor of the City of St. Bernard, Ohio congratulate him and wish to recognize

Tyler Hausfeld. A St. Bernard Hero.

today, *June 15, 2006*, in acknowledgement of his community service, and convey to him the admiration and best wishes of each and every citizen of the City of St. Bernard, Ohio.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of St. Bernard to be affixed this *June 15 in the year of our Lord, Two Thousand and Six.*

Mayor, John R. Estep

Lt. Bill Ungruhe – The Police Dept. is always catching people doing something bad so several years ago we started a program called Caught Doing Something Good. We have a Certificate, and we just wanted to recognize you doing such an outstanding job, so on behalf of the Safety Director, the Chief of Police, and every Police Officer in the City of St. Bernard, I would like to read this to you. “This Certificate is awarded to Tyler Hausfeld for recognition for saving the life of a child at the St. Bernard Pool on Memorial Day, May the 29th, 2006. This act demonstrates your desire to make the City of St. Bernard a better and safer place to live and we are very proud of your actions and you are a very good role model for other young citizens

Theresa Byrd – I have a little something for Tyler. Thank you.

Mr. Walden – I believe we have someone here from the Cincinnati Recreation Department.

Mr. Estep – Yes, I appreciate your time, if you would just step up to the microphone Mrs. Lang.

Mrs. Lang – My name is Kathy Lang from the Cincinnati Recreation Commission and I’m working with the athletic and aquatic division of CRC. We have for four years, now been working conjunction with the Cincinnati Reds Community Fund with a character building baseball program and we’d like to bring it to St. Bernard. We still have openings for six hundred children this summer that we will be dealing with on a day to day basis and I have forwarded the information to Mr. Estep and I believe it is out in your hallway, one of my kids found it on the way in, but what we’re looking for are eight to nine year olds for leagues. I have openings still in the Wednesday/Friday combination that begins on July 5th. Eight and Nine year olds in the morning league, I can arrange bus transportation, I can do a pick up over at the pool site. We’ll take the kids down to Schmidt Ball Field, they’ll have a morning of baseball, we’ll serve them lunch with the Higher Agricultural, whatever the name of that program is, the free lunch program, and then we’ll send them on home. And then we also have an afternoon

program for ten and eleven year olds. The July 5th session runs through August 11th. We're just here to recruit both coaches and individual players. We don't have to have staff coming from St. Bernard, but if we could have someone that could help coordinate and gather applications and get them to me that would be a tremendous help. I'm just here to present that opportunity and the other thing is we are on Mondays for the first time offering a competitive division and that begins on July 10th. The age range changes a little bit, we're looking for nine to thirteen year olds. They have to have some experience. What we're looking for is three to four years of Knothole experience to come into that division. We have partnered with George Foster, he is the ring leader of this league and has been for all four years and we've put together a tremendous program and we would just like to pass it on. So, welcome aboard, we have buy in and if I can get someone to collect those applications I'll arrange for a bus stop for you. Any questions?

Mr. Wilson – Yes, Schmidt Field House, is that the one over by Xavier?

Mrs. Lang – No, Schmidt baseball fields are over on Eastern Ave. right along the river, near Delta Ave.

Roll call showed that six members were present: Mrs. Howell, Mr. Asbach, Mr. Wilson, Mrs. Brickweg, Mr. Meier, Mr. Zix. Mr. Burkhardt was absent.

Mr. Asbach made a motion to dispense with the reading of the minutes. Mr. Wilson seconded the motion. Council agreed 6-0.

REPORTS OF CITY OFFICIALS

MAYOR, Mr. Estep – Just to expound on Ms. Lang's report, I did get permission from her, her number is at the Cincinnati Rec Office is 352-1626 and her cell phone is 470-1068 and she does need for people to call her to arrange pick up and to coordinate it, that will make it much easier on the kid. I have a few other things here.

On redevelopment, I would like Law Director, Ed Geiser to research our options for developing some of the City owned green space in our community. My request is due to wanting to move forward in pursuing senior housing and redevelopment of other areas in St. Bernard, however, each time we begin to discuss this, I have been told we can't develop a "dedicated park" for 25 years. I need to understand if this statement is accurate, and if it is true, how do we go about changing it? I love green space and if we had an abundance of vacant space I would not consider touching any of it, but at this juncture, we have other pressing needs to address. We must become more aggressive in exploring our options for change to come about. Mr. Geiser, can you prepare a written report, and I'm not trying to put you on the spot, Eddie, I just wanted this as part of my report, to help Council and me understand our legal options to develop what are know as "dedicated parks" in particular, the tennis courts into Senior Housing and perhaps continue the Angels Way development into the Bertus Park area?

I have also received some positive feed back from Gognis Corporation expressing their willingness to support the City of St. Bernard with the cost of the Call Command program. We had asked the five largest companies in

St. Bernard to share the cost of this program, and at this time, Cognis is the only company that has replied to our request. Initial conversations are very promising indicating we may be able to continue this program on a year-to-year basis due to their generosity. I am working out the details to continue this service for the remainder of the year and I will keep you posted on my progress. On a side bar on this, I was visiting my father the other night at Mercy Franciscan and one of the people out there, I think he was visiting his wife and he was pushing a wheel chair down the hall and he stopped and turned around and said, Mayor, whatever you try to keep, try to keep the Call Command, especially the notices telling me when I can and should not put out my garbage through the Holidays. It's been a life saver and I really appreciate the updates on all of this stuff.

We have a great community event coming up planned by the Holiday Activity Committee and the Recreation Department on Monday evening July 3rd. Bring your lawn chair, blanket and cooler and plan a fun and entertaining evening with your family at a concert in the park featuring the music of the Rusty Griswolds. They have quite a following so get there early. Plan to arrive at 6P.M. We'll have rides for the kids and lots of fair type food items. The Griswolds' concert is from 7-10P.M., followed by the patriotic music of the Roger Bacon Marching Band and a fantastic fireworks display to celebrate Independence Day. For residence convenience Dial-A-Ride's hours will be extended until 12:00 Midnight that day to get residents home from the fireworks. If you have any questions, please contact Glenna or myself or Joe. We use July 3rd so we will have a back up day and it is also done for those people who have other commitments on July 4th and this way they can attend both of them provided the weather is good.

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

DIRECTOR OF LAW, Mr. Geiser – To follow up on what the Mayor has asked for, I would like to have more information on what you're looking for but I will be glad to do that.

At the COW I was asked to give an update, Mrs. Brickweg asked about it, the William Helton case, the status of the case is that we're expecting a decision by Judge Marsh by July 7th. Next month. Just to give Council a brief update, what happened was Mr. Helton was laid off by the City from the Service Dept. He appealed that decision to the Civil Service Board. The Civil Service Board upheld the City's decision for the layoffs. He there after sued the City and appealed that to the Common Pleas Division downtown. The case was assigned to a magistrate from that. Now, it's not a Judge, it's a magistrate, magistrates tend to handle the overflow of cases of the Judges, it helps them out. The magistrate in his decision said the City did not have enough evidence to make such a decision by the Civil Service Board and remanded it back to the Civil Service Board. However, before it went back to the Civil Service Board, the City appealed that decision to the Judge. You can appeal the decision of a magistrate up to the Judge. This case was given to Judge Marsh, there were written arguments submitted by both parties indicating the City's position, and obviously Mr. Helton's position, and the Judge will make her ruling on July 7th.

Mrs. Brickweg – How come we were not informed about that? I mean, Council was never informed about that lawsuit. I just happened to talk to Bill Helton twice, I'm curious why we were not informed about that?

Mr. Geiser – It's been taking a long time, actually it has been brought up. It has been discussed, I just haven't brought it up for a while. I know these processes take a long time and this was brought up to Council, they were made aware of it in the past. I don't know why you weren't aware of it, we did talk about it at Council at some point.

TREASURER, Mr. Kathman – No report.

SAFETY DIRECTOR, Mr. Stuchell – As I stated at our June 1st Council meeting, I could not be more proud of Tyler and Kelsey for saving the life of this young resident.

With the 4th of July holiday coming up I feel that it is necessary to go over some safety issues with the use of fireworks. We are asking that if you observe an unsafe situation we ask that you please contact the police dept. immediately. However, we ask that if you hear fireworks going off that you refrain from calling just for a noise complaint. We will be on patrol and we need to keep the lines open for emergency situations.

You may buy consumer or 1.4g fireworks from a licensed wholesaler or manufacturer; however, you cannot discharge any consumer or 1.4g fireworks in the State of Ohio. You must transport all fireworks purchased in Ohio out of the state within 48 hours of the purchase. The only items that can be used in Ohio are designated "trick and novelty" which smoke, pop, and/or sparkle. In Ohio, use of 1.4g fireworks (fire crackers, bottle rockets, etc.) is illegal. (R.C. 3743.565(B)).

However, if you are shooting off fireworks or using novelty items in an area that is legal the Consumer Product Safety Commission and the National Council on Fireworks Safety offer the following safety tips:

- Always read and follow label directions.
- Have an adult present.
- Buy from reliable sellers.
- Use outdoors only.
- Always have water handy (a garden hose and a bucket).
- Never experiment or make your own fireworks.
- Light only one firework at a time
- Never re-light a "dud" firework (wait 15 to 20 minutes and then soak it in a bucket of water).
- Never give fireworks to small children.
- If necessary, store fireworks in a cool, dry place.
- Dispose of fireworks properly by soaking them in water and then disposing of them in your trashcan.
- Never throw or point fireworks at other people.
- Never carry fireworks in your pocket.
- Never shoot fireworks in metal or glass containers.
- The shooter should always wear eye protection and never have any part of the body over the firework.
- Stay away from illegal explosives.

SERVICE DIRECTOR, Mr. Kempe – Work on the Beech St. Improvement Project has begun and should be completed on schedule, weather permitting. Legal ads to go out for bids on the 2006 street maintenance project will be ran in the Enquirer on June 16th and 23rd. I would like to be on the next COW agenda to discuss those bids.

TAX COMMISSIONER, Mrs. Williams – No report.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Zix – The Finance Committee presented to Council and the Administration last week at COW their recommendation for their budget presentation to the County. Numbers were discussed, some numbers were varied and all input was put back and then sent to everybody electronically and tonight I put a hard copy in everybody's box.

SAFETY, Mr. Burkhardt – Absent.

SERVICE, Mr. Meier – I want to thank Mr. Geiser and Mr. Weidman, Mrs. Howell and Mr. Asbach. We went through the CRC sample legislation for the tax abatement program and we did some work on that. I'll be going and retyping up the sample legislation so that it will fit with what we want to do. Mr. Geiser is going to take a look at the portion that refers with any exemptions with the School Board and Mr. Wiedman is going to help with identifying designated boundaries that we want to include in the legislation.

PUBLIC IMPROVEMENTS, Mr. Asbach – No report.

LAWS, CONTRACTS AND CLAIMS, Mrs. Howell – My Committee met last week to discuss commercial vehicle parking, we made a decision on an ordinance that we would like to follow. In the mean time I gave the ordinance to Chief Moeller and he is looking it over. As soon as he gives us his opinion and remarks on this ordinance, I'll go back to my Committee, finalize things and then bring it to Council.

BUSINESS AND INDUSTRY, Mr. Wilson – Last night I held our 3rd Ward meeting in the Municipal Bldg. I was very pleased with the 3rd Ward residents that attended and voiced their opinion. We had several residents of other Wards attending the meeting as well. We mainly discussed the Swegmann Bldg. on Sullivan and Delmar that the City just purchased. Some residents wanted to see the Bldg. restored and made an historical site. After discussing the poor conditions of the property and having no grant money available, many quickly changed their mind on this idea. Some residents wanted new housing, some wanted green space with nice landscaping. It was mentioned that green space would only increase our property value in the area. Carl Ronnenberg suggested polling the audience. We took a hand count and the majority wanted the bldg. torn down and green space in its place. There were two votes for new housing and three for using it for City Office space.

We also discussed the HIP Inspector, the train station, and the blithe residential and commercial property. I would like to be put on the COW to discuss more of that type of property in St. Bernard and also to further discuss what to do with the Swegman property.

HIGHWAYS AND TRANSPORTATION, Mrs. Brickweg – After attending Glen Wilson’s 3rd Ward meeting last night, I decided to do some research regarding historical towns and financing. I discovered that there is a program run by Heritage Ohio called Heritage Ohio Mainstreet Program. This program works with communities across the State to revitalize their historical and traditional commercial areas. One of the successful features is a matching grant the national trust provides to help statewide organizations to hire their first full time professional staff. This program also offers specialized workshops and training. Historic preservation and business revitalization can work hand in hand. The Ohio Mainstreet Program is offering free workshops so City leaders can get an overview of the program benefits and responsibilities. I would like to encourage a member of our Administration to attend one of the workshops and see if St. Bernard could benefit from this program. I have the information on the dates and times and would be happy to pass this on. When I looked into this I wasn’t looking into this just for the Swegman property because I do agree that it is in really bad condition and it needs to be torn down, but maybe this is something we can do with some of the housing and the buildings on Vine St.

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

**Committee of the Whole
June 8, 2006**

1. Council approved the minutes of the June 1st Council Meeting, 7-0.
2. Finance Chairman, Greg Zix, went over the proposed 2007 budget, and Council voted 7-0 to have the Auditor prepare the budget for Council approval at the July 6th Council Meeting.
3. Mayor, John Estep, absent.
4. Auditor, Walt St. Clair, no report.
5. Director of Law, Ed Geiser
 - A. Received another notice on the liquor license for Boomerangs Bar & Grill. Council voted 7-0 to take no action.
 - B. Received notice on the new residential building code. The new codes need to be adopted by May of 2007.
6. Safety Director, Jonathan Stuchell, no report.
7. Service Director, Joe Kempe, no report.
8. Tax Commissioner, Sheri Williams, no report.
9. Laws, Contracts & Claims, Patty Howell
 - A. Reported that her Committee met tonight and discussed the commercial vehicle parking ordinance and will have the Police Chief look it over.

10. Public Improvements, Steve Asbach, no report.
11. Business & Industry, Glenn Wilson, no report.
12. Safety, bill Burkhardt, no report.
13. Highways & Transportation, Peggy Brickweg
 - A. Said that she will have a report next week on the conceptual alternative solutions, for the changes along I-75.
14. Service, Kevin Meier
 - A. Reported that he had received a letter from ICRC, and that they want all the Mayors to send a letter to Cincinnati Bell. He will look into this further.
 - B. Discussed the ordinance for the creation of a CRA, Community Reinvestment Area, which needs to move forward. There will be a meeting next Thursday, June 15 at 6:30 to discuss this.
 - C. Mr. Wilson asked about the Showcase St. Bernard Day, and it was stated that the RA should be in place first.
15. Finance, Greg Zix
 - A. Said that the May budget tool had been distributed, and that things seem to be on track so far this year.

Respectfully submitted,
Steve Asbach
Acting President of Council, Pro-Tem

COMMUNICATIONS

June 3, 2006

Dear Mayor and City Council:

Enclosed is a copy of a letter I wrote to you last October regarding my property and the surrounding areas. My name is Ruth E. Jones and I live at 4706 Tower Ave. As I said in the previous letter I pay good money to have my grass, bushes and flowers services. Because of the other properties it is difficult to keep weeds and other “junk” away from my yard.

The house at 4704 Tower Ave. is now in the hands of a real estate dealer. I do not see how it can be shown to anyone as it stands right now. The shed has been torn down but the base or platform on which it stood is still there. The so called “deck: could well be infested with termites and the weeds are still coming through the fences on both sides. The fence that once stood between that yard and 204 Jackson Ave. is no longer there making a pathway to anyone running through the yards creating a danger to people in the area. The house itself may not be too bad on the inside but there is a definite need for paint on the roof areas. I see this as I walk up the steps to my bedroom. It is not a pretty sight. If leaving things as they are right now the price to sell may be cheap but I fear of what “cheap” may bring in. No longer the nice neighbors we once had.

As for the house at 204 Jackson Ave. it is evidently still vacant. The concrete blocks are still standing in the back yard since last summer. Where is the owner and why isn't something done?

The house at 4718 Tower Ave. seems to have people coming and going. Why can't it be put back to good condition as it once was and sold as a regular residence?

I see a sign on the house at 4702 Tower Ave. is in the hands of Group Sales. Is it also standing empty? Let's get the show on the road and start thinking about the people in the City of St. Bernard and not causing them to move away from what was once a nice City.

In regard to the Medical Bus, I go to Christ Hospital twice a week for therapy required by my doctor. At present I have someone to take me and pick me up but I pay \$10.00 an hour for this service. To take the Metro bus you practically have to be dead to qualify. It is an embarrassment to me as I stand there waiting for my "aide" to see the many vans and busses coming from various places to pick up other people and to think my own City cannot do this for it's Seniors and others needing medical care. We may have some good programs but it takes more than sports and bingos to make a City. As I said in the past many of you will some day be a Senior and need these services. Hopefully you will not but don't count on it not happening to you. It will!

Sincerely,

Ruth E. Jones
4706 Tower Ave.

Motion by Mr. Wilson, seconded by Mrs. Howell to receive and file the communication. Motion passed 6-0.

REMARKS

Mrs. Brickweg – After reading her letter, it has brought back something that I had introduced to Council over a year ago and I really think its something that we need to look into and possibly we can discuss it at COW and what that is is vacant building maintenance license. The City of Cincinnati has these and if you have a house that's vacant for a period of time, you have to get a license for it. The City of Cincinnati is talking about raising it to \$900 to \$1000 a year. And what they say it helps with is, it helps people want to sell their house and not keep them vacant, but before you can get a license, the building commissioner, the fire and the police can then enter the home and look at it to make sure it is a safe home before its given a license.

Therefore you are able to go onto the property which we cannot do now, the HIP Inspector is on the outside. So they like it for that part. It brings in revenue and it encourages people to sell their houses and it seems like that is a lot of her problems, a lot of the problem up there is the vacant houses and like Glen said at his meeting it seems that a lot of people are concerned about the run down properties so I'm glad he brought that up to talk about the HIP Inspector program. I did get everybody packets, if you lost them, let me know and I'll get you another packet of it, but I would like to discuss this at the COW.

Mrs. Howell – Peggy, can you get me a copy of that because I don't have one.

Mrs. Brickweg – Yes.

Mr. Estep – We did get a copy of that and it was forwarded to Robert Evans and the Health Dept. so he is aware of it and now in the transition without having a HIP Inspector I think we're trying to do some things that we don't normally do and cover other people's jobs but Peggy I want to hear more about that too. I think there is definitely a problem with these satellite landlords or vacant buildings or its in the hands of a bank. We need to do something about that.

RESOLUTIONS AND ORDINANCES – None.

OLD BUSINESS

None

NEW BUSINESS

Mr. Zix – I would like to be put on the agenda for the COW to talk about meeting protocol.

AUDIENCE WISHING TO ADDRESS COUNCIL

Odell Holden, 67 Kessler Pl. – I'm here on behalf of my sister, Sandra Ellen Holden, she resides at 4626 Vine St. , Apt. #2. My concern for coming for my sister this evening is my sister has been made to feel very uncomfortable and unwanted in a public facility, the Aquatic Center in St. Bernard down here on Burnet Ave. People have made derogatory comments about her appearance and her children have been singled out in my opinion, comments have been made though. Mrs. Nancy Franz seems to be heading, things seem to be centered around Mrs. Nancy Franz. I had a conversation with Mrs. Nancy Franz today which escalated into a yelling match. Mrs. Franz has constantly and repeatedly asked my nephews, Christian Saunders Caudill and Richard Ryan Caudill to provide birth certificates to enter the pool. My sister has paid the yearly pass, its one of the few things that she can afford to do for relaxation in the summer and I'm wondering if you can address this issue.

Mr. Estep – Oddie, I got your message this evening, it looks like you called at 3:00, I wasn't at City Hall, I was just returning from getting a colonoscopy, but I would much rather talk to you. We had a situation similar to this last year and we had a meeting with Mrs. Franz and your sister and we just want everyone to know, and I went down there personally, Joe went with me, that there are rules to follow and I don't believe that Mrs. Franz was singling anybody out. She was being very objective in following the rules and hopefully she's doing that again and I have confidence in her and in the other staff members that they wouldn't pick on anybody. Yelling matches don't solve anything. I would like to meet with you and your sister and Mrs. Franz possibly tomorrow if we could. We need to sit down and get this worked out. I know we had a similar situation and I won't say it was

this one, and the bottom line is, we buy a pass for the pool and the rules are there for everybody. They're not Roberts Rules, Billy's Rules, Samuels Rules, Sandy's Rules, they're rules for everybody that comes in there. Not only for the people to make it safe, but also to make it enjoyable for everybody who comes to the pool to swim, lay out, and you know you spent years as a lifeguard down there, you worked for me, you know it's a tough job. When they enter we expect everybody to follow the rules and in some cases it has been difficult and I offered them their money back. I'd rather reimburse your money but I don't want them to feel like they are being picked on or slighted, I don't want anybody to feel that way. After the meeting tonight, I want to sit down with you, lets get a time and a date and a place we can meet, you and I and your sister Mrs. Franz and get this worked out.

Motion by Mr. Asbach, seconded by Mrs. Howell to excuse the absent member. Motion passed 6-0.

Mr. Asbach – Since there are five Thursdays in June, the next COW Meeting will be June 29th at 7:30 p.m.

Motion by Mr. Zix, seconded by Mr. Wilson to adjourn. Motion passed 6-0.