

**ST. BERNARD CITY COUNCIL MEETING  
AUGUST 4, 2005**

The regular meeting of the St. Bernard City Council was held Thursday, August 4, 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 six members were present: Mrs. Brickweg, Mr. Schildmeyer, Mr. Wilson, Mr. Burkhardt, Mr. Stegman, Mrs. Kalb. Mr. Zix was absent.

Mr. Burkhardt made a motion to suspend with the reading of the minutes. Mr. Stegman seconded the motion. Council agreed 6-0.

**REPORTS OF CITY OFFICIALS**

MAYOR, Mr. Estep – Joe Kempe is absent, he is attending an informational meeting, so I will read his report as well as mine.

I just have a short one, I would like to thank Chrissy and Greg Lipp for all their hours in planning for the swim championships. They did a great job. A lot of compliments from the other swim team coaches and representatives from the other cities. I'd also like to thank Colleen Hausfeld and her staff in the concession stand.

SERVICE DIRECTOR, Mr. Kempe – (read by Mr. Estep) Please excuse my absence tonight. I am attending an informational meeting with the Hamilton County Storm Water District to discuss the progress to date regarding the documents and policies being developed in fulfillment of the District's and City's obligations for 2005. As you will recall, the City chose to be a member of the HCSWD in 2004 in order to stay in compliance with the Ohio EPA's storm water management regulations. I will make a report at the next COW meeting.

I want to express my sincerest thanks to both Chrissy and Greg Lipp. They devoted numerous hours of their time for the swim team as well as organizing and running the city wide swim meet held at the municipal pool on July 18<sup>th</sup> and 19<sup>th</sup>. Over those two days, there were as many as 1500 to 1800 people in the pool, pavilion and park area and the event ran as smooth as it possibly could have, primarily due to the efforts of both Chrissy and Greg Lipp. It took a lot of time and energy on their part to pull this off and the City of St. Bernard owes them a great deal of gratitude as well as the Service Dept. which helped out tremendously.

I would also like to make public my intention to reduce the minimum age requirement to use the fitness center from 18 to 16 years of age. I am considering allowing 16 and 17 year old teens to use the fitness center under parental supervision only. Anyone wishing to address their concerns regarding this matter, please address Council or call me at City Hall at 242-7770 ext. 20 or email me at [jkempe@cityofstbernard.org](mailto:jkempe@cityofstbernard.org). I will make the decision after the next Council meeting on August 19<sup>th</sup>.

AUDITOR, Mr. St. Clair – The July Auditor’s report is prepared for tonight’s meeting. The receipts report and the report showing year-to-date revenue and expenses by fund are derived from the Auditors report, and they are given to Council and certain members of the Administration.

Payroll for the month of July:	\$ 413,527.13
Payroll year to date:	3,216,331.83
Other expenditures for the month of July:	\$ 244,367.87
Other expenditures through July 31 <sup>st</sup>	2,348,922.16
Total expenditures through the end of July;	\$ 5,565,253.99

Before Council tonight is Ordinance Number 30, 2005. This Ordinance provides for additional appropriations and appropriation adjustments to various line items. These items were discussed at the COW.

TREASURER, Mr. Bollmer – (read by Mr. St. Clair)

Receipts for the month of July:	\$ 1,138,960.93
Receipts for the year through July 31 <sup>st</sup> :	\$ 7,097,390.19

DIRECTOR OF LAW, Mr. Geiser – Council may remember we did file suit against the owner of 4419 Greenlee and took him back to Court. Those of you that have had a chance to pass by there, he has sold the place and the new owner is putting a lot of money into fixing the place up so we have been somewhat successful.

SAFETY DIRECTOR, Mr. Stutchell – Fire Dept. Monthly Report

- 67 Life Squad Runs
- 10 Fire Runs
- 3 Service Calls
- 2 Hazardous Materials Response
- 3 Motor Vehicle Accidents
- 1 Fire Permit Inspection
- 2 Life Safety Evaluations

The St. Bernard Fire Dept. will participate in Gold Star Chili’s Kids Night. This year’s event will be held on Tuesday, Aug. 23<sup>rd</sup> from 5 to 7 p.m. at St. Bernard’s Gold Star Chili, located at 4911 Vine St., in St. Bernard Square. This event, geared to families with children under 10 yrs. of age is to provide fire and safety information to our community and give citizens a chance to meet their local firefighters.

I also spent 6 hrs. at the Fire Dept. this last Sunday with the members of Unit 2 and would like to thank them for their hospitality.

Police Dept. Report

I have also been spending some time with the Police Dept. over the last week and exploring some options as far as the manning situation.

I have also been working with Lt. Bill Ungruhe on possible grants that might be available to the P.D. and I will report on them at the next COW meeting.

Officer Jeff McCarty was sent to a property room school and was able to find out about a new service called PropertyRoom.com. After much research and coordination he was instrumental in facilitating our dept. participating in this program. Our Dept. recently signed a contract with PropertyRoom.com to provide online auction services for our property room items that have been cleared for sale. Property Room.com provides pick up of items, catalogs them, takes them to their processing centers throughout the US and provides value to the items by preparing them for auction (i.e. testing for functionality, researching unique items, cleaning and refurbishing when possible, and photographing and merchandising items). When the items sell they send us a check. If they don't sell and are not really sellable they will take care of the destruction of the items at their expense.

I would like to recognize Officer McCarty for his efforts even while being disabled in the line of duty. Again, thank you Jeff for everything you have done for the Dept.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Stegman – The Finance Committee met with the Auditor and the Treasurer about paying off the Nu-Maid loan. They feel that we should not jump right back into paying on the borrowed money right away. We still have 1.5 million in reserves and the revenues are coming in very well still. The Finance Committee will be asking to amend Ordinance No. 27 and the regular police comp line item, from \$53,145.55 down to \$33,145.55. We'll still be holding \$20,000 back in the police comp line item in case of hiring of new police officers. Finance Committee also urges passage of Ordinance 27 and 30 tonight.

SAFETY, Mr. Burkhardt – The Police report for July 2005; another school year is upon us. We ask all motorists to exercise extra caution due to the increase in pedestrian traffic and small children that may be walking to school for the very first time. We also ask the parents who drive their children to school obey all of the posted parking restrictions signs around the schools and the no student drop off signs located at the St. Bernard Elementary School. We will have crossing guards in the same locations as last year. Please be courteous to them as they are there to protect our children. Also, a reminder that the school speed zones are enforced as well as the no turn on red signs during school days.

Sincerely,

Chief Moeller

Also, I would like to meet with the Safety Director at his convenience to discuss possible stop signs at Bertus and Albert and in the alley at W. Ross.

SERVICE, Mr. Wilson – I have the Service Dept. report for July 2005. There were 19 trucks and 15 dumpsters placed at residents homes. 89

special pick ups were made, 239 tons of garbage were taken to the landfill, 21.44 tons of recycling material, 9.98 tons of cardboard, 300 lbs. of scrap aluminum, 154 lbs. of aluminum cans, 3 car batteries, 14,280 lbs. of scrap metal and 30 appliances. The City received \$903.30 for recycling in the month of June. Just a reminder, there were a few residents asking about phone books again, I had stated this at the Council meeting I think in June. Those are to be put into the recycling bin, there's not a dumpster set up, just put them in your regular recycling bin and they will be recycled.

PUBLIC IMPROVEMENTS, Mr. Schildmeyer – Thursday night at the COW presentation was made by the CIC. This was an historic opportunity for the City of St. Bernard to expand its public image. Many business people view the City as an urban “Company Town”, reasonably self-contained with good Interstate access points.

The challenge as the City has recognized is to supplement the character and commercial diversity of this public thoroughfare. Envision a new Commercial Park serving the interest of not only St. Bernard's corporate main-stays, but also the thriving small businesses who realizes the tremendous benefits of locating in a “small town” atmosphere.

- The entire 8 acre project should look and feel good to the community at large.
- The project will provide ample employment, which relates to tax income as well as opportunities for current or prospective residents.
- Sufficient utilities and infrastructure are available throughout the corridor.
- The City staff and its CIC along with the Terra Firma Associates/Neyer Properties team will enjoy a seamless working relationship towards this project.

The approach towards this project we undertake includes assessing the site in terms of its existing features including infrastructure, easements and topography, which has been done already by Mr. Wiedmann's office but will be readdressed by Terra Firma. This approach allows us to develop a concept that fits the unique characteristics of each site. We leverage the uniqueness of each site to develop a concept plan that the market will respond to.

The site warrants mid to higher scale buildings constructed with primarily masonry/concrete materials and incorporating substantial landscape requirements. We anticipate a healthy mix of service, stand alone and multi tenant facilities as well as one or more multi tenant “flex” buildings incorporating high quality offices accessing the main roads with loading capabilities in the rear service areas as depicted on the concept site plan. The Terra Firma Associates/Neyer Properties approach to this unique development opportunity is designed to maximize and sustain the economic benefits to the City. We believe this objective can best be achieved through the utilization of Tax Increment Financing. The method of acquiring and developing this site as we are proposing has been successfully enjoyed by other communities in the area and we feel will maximize the benefits to St. Bernard.

As envisioned for this project, we propose that the City of St. Bernard would lease the property to Terra Firma Associates/Neyer Properties for a period of up to thirty years for one dollar per year, plus the service payments generated by the Tax Increment Financing agreement.

In consideration for these lease terms, Terra Firma Associates/Neyer Properties would commit to construct building improvements on the property with a valuation of at least \$4,810,000 and to create/retain jobs generating at least \$75,000 in payroll taxes.

**ESTIMATED PROJECTED ECONOMIC BENEFITS**

Upon project completion, we have projected the following economic benefits to the City of St. Bernard:

Valuation of Building Improvements	\$4,810,000
Jobs created/retained (Could be more depending on building occupants)	150
New and/or retained Payroll	\$3,750,000

**Annual revenue to the City**

Payroll taxes (2%) (assumes \$25,000/year average salary this too could be much higher)	\$ 75,000
Service Payments Assumes: Taxable Value - \$1,683,500 Effective Tax Rate - \$59.80/1,000 +/- 30% Service Payment to be paid to St. Bernard Schools	\$ 70,471
Total	\$ 145,471

Over the thirty year period covered by the Agreement, the cumulative benefit to the City totals: \$4,364,139

The Mayor has signed the Memorandum of Understanding and the Memorandum of Understanding is now in the hands of the developers for signing. Upon signing by the developer a date will be set to start the Project.

I would like to thank Mike Viox, Will Esterley of P&G and Gerry Wiedmann for working very hard on putting together this Memorandum of Understanding. A Memorandum of Understanding, for those who don't know, is like a new term for a Contract and with the signing of the Contract by the Mayor and by the signing of the Contract by Terra Firma Associates/Neyer Properties they would probably start, we hope, approximately 90 days after the signing. You will see some activity there with their own testing of the grounds and also testing the easements and looking for other areas of interest that they have for the buildings.

LAWS, CONTRACTS AND CLAIMS, Mrs. Kalb – I've given the Law Director a list of questions that I need answered concerning the proposed residency ordinance. I had sent that to him via email but he has not been

able to access his email so I've given him hard copies so that he can pursue this and we will discuss this at a later COW meeting.

I also need to gather a little bit more information about the contracts of the parking lot at St. Bernard Square before we begin negotiations with them, however, I still have a few more questions that I would like to discuss with Council at the next COW meeting before I initiate that meeting with the owners.

BUSINESS AND INDUSTRY, Mrs. Brickweg – The bid specification packages for the concrete replacement work on Vine St. have been completed. We've gone out for legal advertising this week and next week. These are the projects that are going to be funded by the Community Development Block Grant Fund.

I also wanted to thank all the women in my neighborhood, we worked pretty much this whole week and all last weekend, weeding all the paver blocks, we pressure washed them and planted new flowers and cleaned up the park and I just wanted to say, thank you, and it looks really good.

Committee of the Whole  
July 28, 2005

1. All seven members were present. Council approved the minutes of the June 16<sup>th</sup>, June 30<sup>th</sup> and July 7<sup>th</sup> Council meetings. 7-0.
2. Mr. Wiedmann introduced Mr. Viox of the CIC, Dan Neyer of Neyer Properties, and Craig Kolb of Properties of Terra Ferma. After a presentation to Council on the Memorandum of Understanding for the Nu-Maid property, Council agreed 7-0 to give the Mayor the authority to sign the MOU.
3. After discussions with the Police & Fire Chiefs, on manning levels in both depts..., Council asked for what the costs would be for the remainder of the year. Council will review these costs before making a final decision.
4. The Service Director will start letting 16 & 17 yr. olds use the workout center sometime around the 1<sup>st</sup> of Sept. on a trial basis.
5. Mayor, John Estep, no report.
6. Auditor, Walter St. Clair
  - A. Walt asked Council for an ord. for transfers and appropriation adjustments for various line items. Council voted 7-0, to approve putting the ord. on the table for next week.
  - B. Walt also told Council that he had to pay off the notes on the Nu-Maid property, or be penalized. This will be discussed further at the next Finance Comm. Meeting on Aug. 3<sup>rd</sup> at 7:00 pm.
7. Director of Law, Edward Geiser, no report.
8. Safety Director, Jonathan Stutchell

A. Informed Council that he has met with both chiefs and this past weekend rode with the police. He has also spent time with the fire dept.

B. Jonathan will also look into what the City can do to protect people when there is a heat alert. He will be talking to the Health Dept.

9. Service Director, Joe Kempe

A. Joe thanked everyone who helped with swim team championships. It was a big success.

B. Joe brought Council up to date on what streets are left on the sewer projects.

C. Council voted 7-0 to go for the SKIP grants for future sewer projects.

10. Business & Industry, Peggy Brickweg

A. Peggy thanked Chrissy Lipp for her suggestion to inform the businesses of the swim meet championships and for her help notifying the businesses.

B. Also the comm. is still working on the bids for the use of the block grants that have to be used by the end of the year.

11. Public Improvements, Mike Schildmeyer

A. Council voted 7-0 to approve the conditional use permit for 4510 Vine St.

12. Service, Glenn Wilson, no report.

13. Safety, Bill Burkhardt, no report.

14. Finance, Phil Stegman

A. Phil asked to be on the next COW agenda to discuss salaries for non-contractual employees.

15. Laws, Contracts & Claims, Barb Kalb

A. Barb brought Council up to date on Committee's progress on the definition for residency and the St. Bernard Sq. easement. This will be discussed further at the next COW meeting.

16. Highways & Transportation, Greg Zix

A. Greg went over the budget-tracking tool for July.

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

**COMMUNICATIONS**

Mayor Estep,  
Chief Moeller,  
Mr. Kempe,

On behalf of Andy Fluegemann, Program Manager at ARTIMIS and the Ohio Department of Transportation, I want to formally acknowledge the work of Dan Middendorf, Ed Kallmeyer, Josh Durbin, Mike Papia, Mike Wiedmann, Dave Fossaluzza and Police Officer Matheson who responded to an incident which occurred on July 21, 2005, on Southbound I-75 just south of the Norwood Lateral at the 7.5 reference marker. This incident involved a 40,000 pound roll of steel that fell off a transport truck and landed in the middle of Interstate 75.

The quick response, decisive action and coordinated plan (working with the Ohio Department of Transportation and Elmwood Police) resulted in the entire scene being restored to its natural state in 2 hours and 17 minutes. Clearly this example is in keeping with the mission of providing safe and efficient roads and this coordinated response further serves as a textbook example of following the protocols outlined in the Ohio Quick Clear Best Practices Guide.

The folks at ARTIMIS (Advanced Regional Traffic Interactive Management Information Center) are grateful for the up-to-date communication that was provided by the various personnel on the scene of the incident. This enabled ARTIMIS to provide real time information to the media and the motoring public and resulted in minimal backup.

Again, excellent work by members of your staff!

Thank You,

Tim Schoch  
ARTIMIS

Motion by Mr. Stegman, seconded by Mr. Wilson to receive and file the communication and send a copy to the Depts. involved and to correct Dan Middendorf to Don Middendorf Motion passed 6-0.

Chief Moeller  
St. Bernard Police Department

RE: July 7<sup>th</sup> Armed Robbery: 5400 Vine St.

I would like to take this opportunity to express my deepest gratitude on behalf of the entire Emery Federal Credit Union staff, for the prompt response, and most in depth professionalism shown by your officers after our Vine St. branch was robbed on July 7<sup>th</sup>.

Not only did they conduct themselves in an absolute professional manner, their sincere concern for the welfare of the Emery Federal Credit Union staff was extremely comforting.

I would also like to express my gratitude to the Cincinnati Police Department, and the Federal Bureau of Investigations for their prompt response, and hard work during this investigation. Knowing that three dedicated law enforcement departments, both local and Federal can work together on behalf of the community, made it much easier to re-open for business on Monday July, 11<sup>th</sup>.

In closing, I would further like to extend my deepest thanks to Investigator Mike Matheson of your department. His willingness to make the extra effort, both during this ongoing investigation, and beyond should not go without mention.

Sincerely,

Wade Highlander  
V.P. Collection/Security  
Emery Federal Credit Union

Joe Lind  
CEO  
Emery Federal Credit  
Union

Motion by Mr. Wilson, seconded by Mr. Schildmeyer to receive and file the communication.

## **REMARKS**

Mrs. Kalb – Could copies of that letter also go to the appropriate Officers that are mentioned in there?

Motion passed 6-0.

## **RESOLUTIONS AND ORDINANCES**

Motion by Mr. Burkhardt, seconded by Mr. Wilson to read this evening's Ordinances by title only. Motion passed 6-0.

Motion by Mr. Stegman to amend Ordinance No. 27, 2005. The change I would like to make is from the General Fund 6-A-1, the regular police, moving the total of \$53,045.55 down to \$33,045.55. Right now in comp /over time with the payroll coming up this Friday and what is on the books, we only owe out \$16,000. That would be sufficient enough amount of money to keep the overtime and what is on the books as of right now and as discussed with Mr. Berninger, this is money that, as the Officers left, we took and put back in so the Officers could have their overtime, but it didn't have to go back all at one time, so we need to keep enough money in their line item and I think, Walt had just come up with the \$53,000 and that is what we had owed for the two Officers that were, went ahead and were laid off or removed themselves from their positions and that is why I'm asking this to be tabled back a little bit, because Jonathan had asked possibly for new hires and that way if we have some money we can transfer into that new line item if we do so on the new hires of the Officers. So that is why I'm making this motion.

Motion by Mr. Stegman, seconded by Mr. Burkhardt to adjust the appropriation from the General Fund, line item 6-A-1 as specified.

## **REMARKS**

Mrs. Brickweg – Jonathan, is that, will this be enough to get us by and keep enough men on the street with overtime? I mean we've just gone over, I mean Steve just came last week.

Mr. Stutchell – It should be an adequate amount for now but we may need to adjust that, as far as the hiring portion, it looks as if the funds are already there, in place, because one of the Officers, and we know his status now, and then the other Officer is being paid by Workmens' Comp, so really I mean the, we can't put Officers into those positions, its just a matter of now, getting an eligibility list so that we can move forward, but as far as an additional hire, that may be a possibility on top of that but by next Council meeting I can have an update on that.

Motion passed to amend Ordinance No 27, 2005, 6-0.

**ORDINANCE NO. 27, 2005 AS AMENDED. AURTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.**

Motion by Mr. Burkhardt, seconded by Mr. Stegman to suspend with the third reading of Ordinance No. 27, 2005. Motion passed 6-0.

Motion by Mr. Stegman, seconded by Mr. Burkhardt to adopt Ordinance No. 27, 2005 as amended. Motion passed 6-0.

**ORDINANCE NO. 28, 2005. AN ORDINANCE ESTABLISHING THE MAXIMUM AGE LIMITATION FOR ORIGINAL APPOINTMENT TO THE ST. BERNARD FIRE DEPARTMENT.**

Motion by Mr. Burkhardt, seconded by Mr. Wilson to suspend with the third reading of Ordinance No. 28, 2005.

## **REMARKS**

Mr. Stegman – I will be voting no on this Ordinance. After study of this, I'm going to stay with what the State recommendations are at the age groups that they are.

Mr. Schildmeyer – I too would be voting no on this Ordinance this evening because of the recommendations and answers that Eddie gave us last week at the COW. I think too that the Ohio Revised Code is the way to go and stay with the State minimum.

Mr. Wilson – What information did you get from Eddie in regards to that? I didn't hear that.

Mr. Schildmeyer – We asked Eddie where the numbers came from for the age of 40 that he got and Eddie said there was one that just kind of fell into discussion that you can stay with the State. You can be 30, 40, 58, but if you

stay with the ORC you have no problems with people being older or younger coming at you or suing you.

Mrs. Kalb – The age limitation in this Ordinance is 36 and I believe this is the maximum age we are allowed to set by ORC, is that right Mr. President?

Mr. Walden – That is correct.

Mrs. Kalb – I'm going to be voting for it, I don't think 36 is too old.

Mr. Walden – We have 4 ayes and 2 nays, we need 6 votes to suspend so Ordinance No. 28, 2005 will take its regular course and have its third reading at the next Council meeting.

**ORDINANCE NO. 29, 2005, AN ORDINANCE ESTABLISHING THE MAXIMUM AGE LIMITATION FOR ORIGINAL APPOINTMENT TO THE ST. BERNARD POLICE DEPARTMENT.**

Mr. Burkhardt – Due to the lack of votes, I'll make a motion that Ordinance No. 29, 2005 take its regular course.

Mr. Wilson – I'll second that.

Mr. Walden – Motion by Mr. Burkhardt, seconded by Mr. Wilson for Ordinance No. 29, 2005 to take its regular course.

**REMARKS**

Mrs. Kalb – This is the Ordinance that said the 40 year maximum age. I believe the reason for that has to do with age discrimination if I'm not mistaken, Mr. Geiser?

Mr. Geiser – Yes, Mrs. Kalb. As I explained last Council meeting, when this came up, Council had originally decided to have unlimited age for appointment in both the police and the fire dept. Upon researching the issue, before preparing the Ordinances, I wanted to make clear that the law hadn't changed. The Fire Dept. can only be changed up to a maximum of 36 years of age, so you cannot set an unlimited age for the Fire Dept. It basically gives Council the permission to extend another five years on to the State Law, if Council wishes to do so. For the Police Dept. you can go higher, but you have to set an age limit, you just can't say unlimited or no limit, you have to set an age. Upon researching I researched the case law that was out there and I could only find one case that had the issue come up where a town somewhere in Ohio set the age to be 70 something and what had happened was in that particular case an individual took the test and was not chosen, he filed suit he was over 40 years of age and the issue before the Court was not really to decide the case but whether or not there should be a summary judgment motion granted, and the Court sent it back to the Court saying, yes, he did have a good cause of action, he should go forward on his case. They didn't decide the issue, that was not in the case but the Court saw enough to go forward. Upon researching that I found that there was no State Law that said, over the age of 40 you can sue for a violation of your Civil Rights if you want to call it that, for age discrimination over 40. Putting the

Ordinance together, if you notice in the Ordinance, I left it blank. I didn't know an age that Council wanted to determine, that's your decision to make. If I'm going to recommend something, and I called the Police Chief, I said, would 40 be a good age to start with, if you didn't have enough people after some experience with 40 raise it to 45. If that doesn't work, then keep going up. The purpose that Council discussed was to try to get more people to come to take the test. I just recommended 40. That's just strictly a number, because of the State Law saying over 40 you can sue. If we stick it at 40, at least we're going to protect ourselves against any age law suits, that is simply the reason I came up with 40.

Mrs. Brickweg – My first comment is, we do have enough people to take a vote here tonight, correct? OK, because I'm wondering, I know the biggest mix-up and the problem is we kept putting this off and then the Civil Service Commission sent out the letters and there was a mess up with the possible age and if I heard correctly we might be having to give another test since only 7 people took it. It looks like we're not having a big demand on people wanting to be police officers and the Chief said that he was OK with this age so if we could at least try to pass this tonight then they could actually probably put it in a letter and have more people take the test, that people approve it, but putting it off two more weeks is once again probably going to mess a lot of things up like we did last time.

Mr. Geiser – For clarification purposes, when these two Ordinances are passed, if they are passed, they won't take effect for 30 days after the Mayor signs it. I could not come up with any reason why this needs to be an emergency or not emergency but pass it with out waiting the 30 days so there is no language in there, it won't take effect until after 30 days after the Mayor signs it.

Mr. Stegman – One of the reasons I'm going to vote no on this one, I don't want to give a name, but there was a gentleman approached me who is a police officer who is 42 years old. He had asked me, why don't you make it 42? Why would I be eliminated, I'm already a Police Officer, why would you stop at the age of 40? That's when I asked Eddie where the magic number of 40 came up? That is when he gave me his reasoning behind the 40. Then we can move on up. That is why I'm saying, we're leaving ourselves open for setting an age limit that's not, I mean the State recommends this age, why open ourselves up for an age that we pick that possibly somebody could come and say, I'm this age, why wasn't I able to take the test? If you stay with the State Law you don't have to worry about it unless its challenged also. So, I will still stay with this and until we get our testing facilities right, when we put it in the paper, we send mail out to the residents so that they know when they are taking it. The first time it was mailed to the residents, not put in the paper. Second time, it was done, it was put in the paper, not mailed to the residents. I had a few people ask me, when the test was then come to find out the test was already taken. I think we need to get both things going at the same time and let residents and people outside the City know when the test is going to be taken.

Mr. Schildmeyer – I too agree with Phil, I think if we stay with what the State Ordinance says, I don't think we will be at fault in any law suits or any

type of law suits. I just think that we're safe under that umbrella of the State and we've been working with that for quite a while.

Mr. Stegman – I also found the State is looking at the age requirements to this exact thing that we're talking about and with the seven people that did pass this test, I think we should give them a chance to get the test results back to find out how many people we can hire off of this test and still keep looking at the State issue of when they up their levels of age if they deem to do so.

Mrs. Brickweg – In reference to the age we just heard our Chief last week come and tell us that the chances of even getting somebody out of that seven are probably pretty slim. He begged us to try to find more people here to possibly give another test and now we're going to even limit him even more. He says that he would be OK with this, and its kind of funny that we're going to listen to Eddie on the fire but we're not going to listen to Eddie on the police. When we have a Chief begging us and we're telling him once again its pretty obvious he's having a really hard time finding people who want to work here as police officers and the one plus could possibly be is we could get some police officers from the City of Cincinnati or somewhere else that are trained that don't want to work there anymore, they might be above the age limit now but they might be already trained and could come in and work for us so I think we need to think about that possibility also.

Mrs. Kalb – I want to agree with what Mrs. Brickweg just said, the Chief did state last week that with only seven people taking the test he needed to have a bigger applicant pool and if we expand the age limit to 40 and he was OK with that and I agree with Mr. Geiser's reasoning as to why we're setting it at 40, I think we need to go ahead and do this because we need to get as many qualified applicants as we can and seven is not a very big pool. We need to do what we can to expand that.

Mr. Stutchell – I too, agree with expanding our possibilities but I definitely don't buy the fact that the only reason we only had seven people sign up, attributing that to no one wants to work in St. Bernard and we definitely need to open our possibilities even when we offer a test and not just advertise it in the Valley Courier. I would suggest that we go with a major publication and give ourselves a chance to draw from a larger pool of people in the tri-state area and not just from the Millcreek Valley. I'm not buying the fact that no one wants to work here. Its still a good place to work and a good place to live and a good dept. to be employed by. Let's give ourselves a chance.

Mr. Stegman – I agree with you there, Jonathan. I think we do need to get a bigger publication to a major newspaper also. Also on the recommendation of the Chief, don't forget what his recommendation was to do away with the residency law, we would get a lot bigger draw though to on that, we would get rid of the residency law and I'm not in favor of that also.

## **AUDIENCE**

Kenneth Shamblin, 5183 Broerman – I would just like to say that I think we could all agree that there are exceptions and should be to every rule and

having said that we should remember that the police and firemen have physical agility tests that should weed out people of questionable physical capabilities and I think I remember several years ago a judge making the remark that an age requirement had no relevance on one's ability to fight the fire since they had a physical agility test when they hired the individual.

Mr. Walden – What is currently on the table is a motion to let Ordinance No. 29, 2005 take its regular course.

Mr. Walden – We have 3 ayes and 3 nays and in that instance the President of Council has to cast the deciding vote and I will vote to let the Ordinance take its regular course.

Mr. Walden – Ordinance No. 30, 2005 is up for its first reading and please read that for us Mrs. Kathman.

**ORDINANCE NO. 30, 2005, AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS TO PROVIDE ADDITIONAL APPROPRIATIONS AND TO ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.**

Motion by Mr. Stegman, seconded by Mr. Burkhardt to suspend with the second and third reading of Ordinance No. 30, 2005.

## **REMARKS**

Mrs. Brickweg – I'm not sure if this was a question for you, Walt, or for Council, but I got a lot of questions on what the proper procedure is to pay off something like this. I know you told us that we didn't have enough members present and the note would have been late but I wanted to know the correct answer, what would be the typical procedure? Would Council have told you to pay it off, would we have voted to pay the note or what, I wasn't sure what to tell people?

Mr. St. Clair – It starts with passing the appropriation Ordinance. At the recommendation of the State Auditor's Office from previous years, anytime we would have a note coming due in the coming budget year to appropriate the necessary funds to pay that note because it would be coming due as this note did on July the 14<sup>th</sup>. So the money for the principle and interest was appropriated by Council with the budget. Normally, when you appropriate the money you would necessarily put the funds into that, the cash into that fund to cover the appropriation. That is what we did not do at that time because we were planning to refinance it so that is part of this Ordinance tonight is to transfer the cash from the General Fund to the Board Retirement Fund to cover the appropriation. The normal procedure would be that, any appropriation in a fund would need to have resources to cover that appropriation.

Mr. Stegman – Just to clarify, Peggy said that we didn't have enough votes. The Auditor had a couple of things and issues about taxable or non-taxable on the notes which were being tied up with Walt. It never came to the table for us to have a vote so it wasn't like we didn't have enough votes to pass this and that is why it was paid off and there it was. There were some issues

of being taxable and non-taxable on the loan so it wasn't a numbers problem of people not being here Peggy.

Mrs. Brickweg – Thank you Mr. Stegman but we still did not even have enough people here to even take a vote if he was going to ask us so I don't think I'm making anything up there.

Mrs. Kalb – I believe the Auditor was supposed to contact our Bond Counsel today, concerning whether or not, if say later in the year we want to issue some bonds, I mean I think right now we think financially we can deal with the payment to reduce our debt if that had been one of Council's goals. If say in October or so we want to choose to finance some of this again and make it retroactive or whatever, you were going to ask the Bond Counsel if that was possible.

Mr. St. Clair – Yes, I did contact the Bond Counsel and the message on the voice mail was that he will be back Monday. I apologize for that but it was one of those vacations where his message was that the phone and internet capabilities will be very limited.

Mrs. Brickweg – Since we paid off the bond, will we still be able to get more bonds for this money, because somebody asked me the question, if you pay off a house, you wouldn't usually refinance the house, you would actually take out another loan so what is the difference here with paying off the note as we go to get more money later?

Mr. St. Clair – I don't think there really is a difference, in other words this would be done retroactively, we still would have the land as collateral so we've paid it off but in the future if we would need additional funds, in my thinking, and that is why the question was to Bond Council, could we then, if our cash flow became a problem, or we were hit with some major expenditure that we could refinance that bond and issue another, new bond for it.

Mrs. Brickweg – Would the interest be about the same, I mean, sometimes if you roll something over your interest is better than when you go to get a brand new loan.

Mr. St. Clair – That would, of course, depend upon the bond market. Right now interest rates are rising so we would probably have to pay more the longer we would wait. That was an issue Mr. Stegman was talking about, about the bond being taxable or non-taxable. When we originally received the notification that the bond was coming due, we assumed, I guess inappropriately, on average that they were about 1% higher per year. That was another reason to take another look at refinancing those notes because they would be taxable and they would cost us, so interest rate wise, it was more money.

Mrs. Brickweg – I did not make the Finance Committee meeting but the other question I had was when you were working on the budget in the beginning of the year, one of the ideas was to take, like the pool and take Nu-Maid and spread it out over the years so St. Bernard could make it and not have all the money tied up in there in case we needed a garbage truck or

fire truck or something happened and now we're, I'm not saying we're not going to do it, but its kind of like we're doing something that was not in the beginning plan,, I was just curious, what, how that decision was made that the Finance Committee had changed that idea, to change the plan that was made at the beginning of the year?

Mr. Stegman – As far as paying off the loan it was just as new as to you as it was to me last Thursday. What course we're taking is what I discussed at the last COW is that we're still going to put a five year equipment type line item in and try to put money in it every year and find out what equipment is going to be needed to be purchased in that year and still even put more in for a five year projection for our equipment and see how long we go. By paying this off, it doesn't have any effect on that. I think the other thing that needs to be pointed out by paying this off also is the Bond Counsel or the revenues that we put our money in the pool, with these capitals like for fire equipment. We can borrow money as a municipality at a lower rate than what we were doing on this. It helps us the other way around, borrowing with other municipalities with that note.

Mr. Estep – I would just like to say, Walt's been working hard as well as the Finance Committee, and I commend you for being creative and paying these loans off because it can be nothing but positive instead of continuing to roll over and pay that interest. It makes financial good sense, if you have a chance to do away with some debt, and it looks like we may even balance a budget for next year. Is that possible?

Mr. Stegman – Yes.

Mr. Estep – When is the last time we balanced a budget?

Mr. Stegman – To this date we still haven't been able to balance the budget, per se, now that we paid this two million off. Our projected income for this year was 9.6, revenues we've talked about coming in at 8.6. Council put up another million out of the reserve to help offset the budget until we got our revenues coming in for the property tax and the millage that we had put on the ballot. That's to help offset next year. Now with possible new jobs, we still have to keep an eye on our budget and we're hoping to have a balanced budget next year.

Mr. Estep – I meant that as a compliment, Phil, I really did. I was looking back and it looks like as long ago as 1991 that we actually only spent what we had taken in, it is nobody's fault, we just had some money flowing in and we had a lot to spend. It's a compliment to Walt and the Finance Committee, you've been putting a lot of hours in and doing everything you can to get us back in the black. That's where we belong.

Mr. Stegman – A lot of compliments need to go out to all the departments for all their work in their budgets to try to minimize the cost and I know we've taken a lot of layoffs and people that retired, and I would like to thank them because it helped bring our cost down and the money coming in is now more than what we're spending and that's has been the plus to balancing the budget.

Motion to suspend passed. 6-0.

Motion by Mr. Stegman, seconded by Mr. Wilson to adopt Ordinance No. 30, 2005 as read. Motion passed 6-0.

## **OLD BUSINESS**

Mrs. Kalb – A couple of weeks ago we all received an email that had questions about whether or not the City had a heat alert program during the last heat wave we had. I had a conversation with the Health Dept. nurse about that email. Mrs. Hinnenkamp was not aware of any program that the City had and said that to her knowledge that Health Dept. had never addressed this issue before. She said that she would bring the matter before the Board of Health at the next meeting on Aug. 23 and give me a report. In addition to that I too would like to thank Chrissy and Greg Lipp for all of their work on the swim team championships that were held here. Having been involved in it the last time St. Bernard hosted it 9 years ago, I understand the amount of work that is involved, I was down there the very last day for the finals of the championship and I thought everything, the way the crowd control was, the parking, how everything was set up, worked really, really well. In addition to Chrissy and Greg, all the parents of the swim team were down there helping, it wasn't just them, although they were the main driving force behind it all, but all the parents of the swim team also deserve a round of applause for all that they did. It was a really, really good event and I think it did the City proud.

Mrs. Brickweg – Just to add to that, and Joe had actually said it last week too, the Service Dept. and all the pool workers, went beyond the call of duty and had to work a lot harder for this special event.

Mr. Schildmeyer – At COW meeting, I did ask last week, if we could go into Executive Session to have some discussion on the possibility of looking into property. I'd like to address that tonight if we can, have Executive Session tonight, to see in what direction we might want to go.

Motion by Mr. Schildmeyer, seconded by Mr. Burkhardt to go into Executive Session later this evening. Motion passed. 6-0.

## **NEW BUSINESS**

Mrs. Kalb – Last Thursday I attended the July quarterly meeting of the ICRC. They will begin the contract renewal process with Time Warner at the beginning of the year 2006. They are required to begin this process 36 months in advance of the expiration of the contract. Right now there are no serious conflicts with Time Warner so the process is expected to go smoothly. I will keep Council up to date as this process continues. At some point we will need to approve any new contract. In addition, the ICRC is beginning a new kind of community calendar program to begin airing this month. The City can advertise up coming events and notices, such as festivals, parades, City events, concerts, important dates like tax payment due dates, etc. These events do not have to be City sponsored. Any organization within the community can advertise these events. I'm putting a copy of the letter that I have in the Mayors' secretary's box which has an

email address for her to send this information to the ICRC. If anyone has any activity that they want listed, please contact Glenna McCarty here at City Hall.

The Boy Scouts will be retiring old worn out flags at a flag retirement ceremony on Aug. 27. If anyone has any old flags that need to be properly disposed of, please bring them to City Hall and put them in my mail box, or bring them to my home at 4343 Errun Ln.

Mr. Estep – Mr. Schildmeyer mentioned early that the City signed that Memorandum of Agreement with the CIC and the companies down there for the Nu-Maid property. I wanted to thank the CIC for all their hours, I know we've been pushing them pretty hard and expecting that to be done the next day. Those things take a lot of time and effort with negotiations and there's a lot of thing that could be presented when its still being negotiated. That's going to bring some revenue into the City and also the aesthetics down there, it is just going to improve it immensely. I wanted to thank everybody on the CIC.

Mrs. Brickweg – Adding to the flags, I was going to ask at the COW, how you go about getting a new flag. The one in our park is shredded. I would like to donate that to be burned, but I was just curious if the City supplies them, if not, I'll get one, but I just wanted to find out if they do. I know the business chamber supplies some but those might just be for the telephone poles.

Mr. Burkhardt – I know in the past the City always supplies those. You might want to talk to Joe, I know Ray always handled that.

Mrs. Brickweg – I'll email him, thank you, and then I'll ask him to take the one down and we'll get it to you.

Mr. Stegman – Just a comment for Barb on the ICRC, I know several months back they were talking about possibly looking at DISH network. Was anything discussed as far as, looking around in our community, Time Warner has gotten expensive and a lot of people have moved over to DISH and some people have asked me if that's possible that the ICRC put our Council meetings on DISH network or what is their policy or are they looking at that?

Mrs. Kalb – The last time I spoke with Pat Stern at the ICRC about that issue she said that they had begun to kind of put out feelers with all the satellite DISH networks to see about working with them to get some of our programming on the DISH. That has not been reported on recently, I will make a note of asking that question and I will report back if I get any new information.

Mrs. Brickweg – I would like it to go onto the COW agenda that if we could discuss the possibility of starting to print up some minutes to mail out, possibly have a new list. When I was going around talking to people, they're still pretty upset about that and a few people even had a great comment, that we've voted on laws, but they have no idea what the laws are because we don't send anything out to the people that don't have Cable. I know it's a big expense, but if we could possibly start all over with a brand

new list and you'd have to call in and say you want them and then hopefully people who have the internet or Cable not need them and maybe we could get the expense down a lot, but I would like to put that on the agenda.

### **AUDIENCE WISHING TO ADDRESS COUNCIL**

Joe Lengerich, 622 East Ross – First I would like to read a statement. I have a few comments tonight, but before I do I would like to publicly thank Tom Paul, Jay Hausfeld, John Schutte, Kerry Meyer and Dave Strotman for their quick and professional response on Monday morning Aug 1. My wife suffers from coronary artery disease. She had had a heart attack within the past year and to date has 4 stints in her heart and 3 in her legs, the 4<sup>th</sup> one in her heart came Monday morning. I was awoke from a dead sleep Monday by my wife in a panic, she was having another heart attack, so we both got in the van and drove straight to the fire house. Mr. Paul met me at the door. I told him the problem and he immediately yelled down the hall and alerted or awoke everyone on duty within seconds the gentlemen named above sprang into action and within probably less than 2 minutes she was on her way the Christ Hosp. When I arrived a few minutes later at the hospital I thanked all the firemen that were there, but I would like to say a special thanks to Dave Strotman, because when I finally got to Patty all she could say was how glad and comforted she felt that she was there being taken care of by Dave. She said she felt like family to him and could see the genuine concern in his voice and eyes. And I told her that's because in some way we are family. We grew up together, our daughters went to school together, our young sons play together. And he could be related to us because we are so much alike. We are family, a St. Bernard family. So again thanks for your professionalism and thank you Dave for your heart felt care and concern for the most important person in my life.

With that being said, I have a few comments. Last week at the COW I got a little upset about some comments that were made, I think they were initiated by Mr. Wilson and then Peggy backed them up. That's what it seemed to me, but I couldn't stick around. There were cuts made and some serious problems we've had over the last year and I think we've all come together with as a community, some bad, some good, we've had some bad fights, there has been some stuff go on. We're down to 19 in the Service Dept. and we're trying to make it work. Is it perfect, of course not. Would we like our guys back, of course we would. I always hear on the floor from everybody, Peggy especially, that we should bring all these guys back. Well it's not financially possible, I think we've asked many a times, both Chiefs, how many do we have. Well, I think you got your answer, we've got 25 firemen, we have 15 policemen. I know the Chiefs are true professionals, I have full confidence in them. The fire Dept. reacted in my emergency, I'm not going to sit here and criticize. They reacted to that fire, they did the best they could and I think they did a good job. That whole complex could be burnt to the ground right now. I think it can work with 25, mutual aid comes in and it works wonderfully. Jonathan, I just have a quick question. Are we going to hire more policemen? I think 15 is the number. I'm not criticizing, there's four men on disability, 3 and possibly a 4<sup>th</sup>, that's not John's problem, it's nobody's problem, it's nobody on Council's problem. We can't go out and have a knee jerk reaction and hire these policemen until we know these guys on disability are leaving or we're going to be right back in the same financial boat. Like Mr. Burkhardt told me tonight, the people

passed this levy to maintain current services. I was on the committee that sent this flyer. No where in this flyer did it promise anybody that we would bring anybody back, that anything would change as of May 4<sup>th</sup>, or May 3<sup>rd</sup> when this levy passed, thank God it did by 60%, so we can maintain what we got. That was the issue with you Glenn at the COW. It's an insult to me to say, let's lay off some Service, you didn't say Service, but you did say some people in the crowd and I took that as me. You're going to lay some more of us off and bring some police back because everybody's panicking about robberies. Robberies are going on all over the place. It's not just St. Bernard and our police force does fine job. They're catching people left and right. It's a bad time, the economy's bad, robberies are up, not because we don't have enough guys on the police force. Robberies are up because the economy is bad and we're surrounded by the criminal element. That was just to explain COW, that's what I got upset about because we didn't promise to bring anybody back. We promised to maintain what we had, and that's 19 service members, 25 fire and 15 police. Let's do what this thing say, let's unite. I hear nasty things, I don't have a computer at home but I hear from my coworkers all the time. All this stuff going on, and all these blow ups and all this stuff about we make more than the police and fire or we make more than Cincinnati. It's ridiculous. Let's just stop it and move on. We're trying to provide everything we can. I know the fire do, I know the police do and so are we. It's just this back biting, you know, pat me on the back when you see me here and then go home and you get on your computer and you call me every name in the book and you think I shouldn't have my job. I think it should stop. I wish it would I can guarantee you, I do that. If I got something to say I'll tell you to your face.

The other thing, I'd like a quick thing to the residents. If you're upset about your service, I would ask you to follow the rules. If your yard waste day is Monday, put your yard waste out on Monday. It will get picked up. If it's on Monday and you put it out on Thursday, it's not going to get picked up and calling Dave is not going to change that. We're limited on the number of people we have, so if you follow the rules, you will get perfect service. Please, if you just follow the rules we will pick it up, I guarantee. The last thing I got and I won't take up any more time, this is a good thing, I think. Come Monday morning, Mr. Bill Helton is going to be hired back, because Mr. Angelo Papucci was approved for disability, which is not a good thing, but in Helton's case it is. Before the rumor mill goes around after Monday and they say, oh the Service Dept. got an extra guy back. This is why. The addendum to our contract that was signed on the 22<sup>nd</sup> of Feb of this year, Section 2 says; if during the period commencing with the date of this addendum through March 4<sup>th</sup> of 2006, a bargain unit member resigns, retires or is otherwise separated from employment with the City, if such member is not one of the four bargaining unit members who have prior to the date of this addendum, gave notice of their retiring in the year 2005, the City shall recall one or more members from the recall list to replace the person that separates. This provision is subject to Section 9 and Section 9 says that Section 2 will be null and void if the levy doesn't pass. Well the levy passed. Angelo's last day was Friday, Bill will be back this Monday and we appreciate it and thank you for your time.

Mr. Wilson – I'd like to comment on what Joe had said there and he had mentioned that I was for hiring more police officers and laying people off. I never once mentioned anything about laying anybody off. It never came out

of my mouth, I'm not for laying people off. I've never once said that. From day one I've stuck to my guns that I don't want to see anybody laid off. My problem is with 2 men on the street. With 15 men we'd be fine. That's where the problem is right now we don't have 15 men out there and that's, everything I said at the COW. I was mainly about having 3 men, minimum manning on the street.

Mrs. Brickweg – I will, I did not hear him say anything about laying anybody off, I'm sorry but the mistake I did make, and will apologize again, I couldn't because you left, that I did not include the people that took early retirement and left and that was my mistake and I said I was sorry for that, but basically what I was trying to say when I said it was hard for you guys to do your job is kind of just what we did all week end in our park. We're just trying to get together because you guys, with less men, you don't have time to go around weeding between all those bricks and stuff and we understand that and it was actually a lot of hard work but a lot of fun to be working with all of our neighbors and that is what I was trying to say. We could all do our part and work together to do stuff like that that you guys can do the day to day things that you really need to do.

Charles Powell, 5161 Broermann – Saturday evening I was maced or pepper sprayed down on St. Bernard Square on Vine St. There are a few discrepancies so I'm not going to spend the whole thing on air right now because there is still going to be stuff worked out. The problem I had was care after the incident. Nobody seemed to know what to do. I spent myself, a day and a half, with burning face and everything else and finally a Cincinnati fireman told me what to do to help relieve some of the pressure and stuff on the face as far as the burning, but I just think that somebody should look into making sure the fire and police have the means and the know how, how to treat people that have been maced or pepper sprayed. I'm not picking on any of them that are here, it just I think it ought to be looked into.

Joan Ronneberg, 4217 Sullivan – In regards to asking about minutes being sent out, don't they tape the meetings, that the people can come down and pick up the video tape. Most people have VCRs, so they could get it that way, it's even easier to see it than to read it.

Mrs. Brickweg – Yes they do, but the people I was actually speaking about, they're stuck in their homes. It's a lot, the people I was talking to are a lot older and I told them that that was an option.

Joan Ronneberg – You could get it for them and take it to them.

Mrs. Brickweg – You can, but there's going to be an awful lot, that's why I said hopefully it would be a very little list that we mailed them out to. That's why I said you actually have to, my idea was to just, we're not going to just have this list that was so old your actually have to call in or whatever and get on the list so it would be just for people that that was their last resource and that was what I was looking at. But I did tell them about the tapes and the person the main person did not even have a tape player. There are people out there, but thank you, I'll keep suggesting that.

Mr. Estep – On that note with the minutes, if we could find a way, I know both the High Schools, they're always looking for community service for these students in the National Honor Society so it would be a way to get a stack printed, we did get some addresses, that may be a way to do two good things at once.

Mr. Stegman – Also, if the offer is still out that anybody that doesn't have Cable and doesn't have computers and stuff like that, if you come down to City Hall I think they can print you one off and you can take one so we don't get back into a mailing situation. It is available at City Hall, too, if you don't have access to those other things.

Ken Shamblin, 5183 Broerman Ave. – First of all I wanted to say a public thank you to a fellow citizen who I believe "gets it". Norm Miller. I feel he has displayed great courage and integrity for coming before Council and giving his opinions and asking questions that aren't popular or departmentally correct. His statements before Council last time raised, I believe, to be some grave concerns and I had many of which I shared with my ward representative. I was going to ask many of these questions tonight, but I decided on only one issue. Having said that, isn't it reasonable to assume that if you were experiencing a catastrophe you would want your nearest neighbor to respond with help, with that in mind, did we call Cincinnati Engine 9 first, as they are the nearest mutual aid and if not, why not? If we don't have a policy or procedure that covers and requires this, then maybe one should be instituted.

Joe Lengerich, 622 East Ross. – No Glenn, I wasn't accusing you, you did not say that, but what I remember you saying, you were like, I don't want to upset anybody that might be in the room at the time and there was like me and about five of my fellow coworkers sitting up here and you said that maybe you felt uncomfortable with the 2, that maybe we should find the resources and that's how I took it, where are the resources going to come from because I don't know where else we're going to get it. Hopefully, I hope revenues are coming up, from what I understand, they're coming in good and maybe that's where we can get the extra money. My question to Mr. Stuchell was, you know, 15 seems to be, we all say minimum manning, well it seems to me 26, 15 and 19. We have a unique situation here, we have three guys on disability and the Chief suggested last week there might be a fourth. I mean that's a problem. What are we going to do? We can't go out and hire 4 guys, what if the 4 come back off disability? You're going to lay off the 4 you just hired back in or are you going to keep them? You can't afford to keep them. We just passed this levy, and I agree with Mr. Burkhardt 100%, if we don't balance this budget, and prove to these people in five years that we can manage our money, they are not going to renew it and when it doesn't get renewed in five years, I won't have a job. I'm sure the police and fire will, because they are safety. I won't and I like my job and I want my job, but I do not, I didn't mean to come off or accuse you, you didn't say that but I took it as that and then when I walked out, I didn't hear the rest of your statement because I was just upset and when I get upset sometimes I say things I shouldn't so I just left. I just wanted to clarify to Glenn, you did not say that and I didn't accuse you of saying that, it's just that is the way I took it.

Mr. Wilson – I would like to comment a little more, I mentioned nothing about people in the audience, the only thing I said was that some of the people in the audience won't agree with me. That's what was stated. I am for minimum manning and that's what I'm after. I'm not for spending a bunch and hiring people, I'd like to see all these people that are off on disability get well and get back to work, but I think the magic number out there is a minimum of 3 out there on the streets.

Mr. Stuchell – Mr. Lengerich, my response on the hiring comment was to fill the positions of the disabled officers, not to add to the total number of officers. Right now we received word that once application for disability is received word to which he can move forward. That position will be able to be filled in the very near future. We are pressing to find out the current status on an individual that has been on long term leave so we can try to move forward there to find out whether or not he's not able to work in the future or if there is potential that he could come back. As far as right now, my suggestions were, we need to be creative in trying to find ways to work with our manning situation, but by no means am I saying go over and above and hire a great deal of additional officers. It would create a financial crunch. My overall concern is just the safety of the citizens and the officers on the street. Again, we have to be patient because of the current situation that we're under with our injuries.

Joe Lengerich, 622 East Ross – I appreciate that, that answered my question, that was all I was looking for. The levy promised to maintain staffing at where we had it, which was 15, it just sounded like we wanted to have a knee jerk reaction because we had all these disabilities. Common sense rules here that disabled, they might come back. To hire somebody full time, then what do you do? That was my main concern. You answered my question, thank you.

Motion by Mr. Burkhardt, seconded by Mr. Wilson to excuse the absent member. Motion passed 6-0.

Mr. Burkhardt – The next COW will be Thursday, August 11, 2005 at 7:30pm.

Mr. Walden – We will adjourn to go into Executive Session.

Mr. Walden – The August 4, 2005 City of St. Bernard Council Meeting is back in session. We were in Executive Session discussing the possible purchase of property.

Mrs. Kalb – Before we went into Executive Session I was approached by Forrest Hudson who is a member of the Civil Service Board, and he made the comment to me on the Ordinances for the maximum age limits that he had spoken to someone with the pensions, the fire and police pensions and they don't accept anybody into the pension after the age of 35. That was news to me, I don't know if that is something we might want to consider tabling those Ordinances until that gets clarified or get a clarification before next week.

Mr. Stegman – I'll clarify that for you a little bit and take it a step further, they won't accept anybody at the age of 35, but they will take transfer of people that were already in active service in another department. They will be able to transfer time but they will not take any new hire's. I did check into that and it is 35 that they won't take accept anything in the pension but they will take transfers.

Mr. Geiser – The President of Council's vote in that particular case kept the Ordinance going, if he had voted the opposite way the Ordinance would have died. So his vote, and Mr. Walden knew that, but it didn't sound like it, but his vote actually pushed the Ordinance to the next reading.

Mr. Stuchell – I actually have one thing to say if possible, my inexperience in the procedure in Council meetings, I wanted to respond to Mr. Powell. I spent 3 hours researching his claim and his case. He sees it one way, I see it another. I spent a great deal of time with both departments researching his claim, I don't know of another time that anyone could have been responded to within 18 seconds. As far as his offer for care, checking with all the officers involved, they opened the bathroom up to him, allowed him to use cold water, splash on him, he insisted on paper towels, you're not supposed to rub the affected area because of the chemical irritants. He was offered to have an ambulance come, he refused that, he would walk down to the firehouse. He went down to the firehouse on his own and they offered him the same thing but basically told him that because it was a chemical irritant and it was an oil base he needed to go home and use soap and water. He proceeded to say he'd rather go somewhere else and in the mean time refused transportation, signed off and I looked into it. They did a great job and I do not want their reputation scarred by a claim like this. I had to check into both parties, both Mr. Powell and the two departments and I would like to set up a meeting with them to try to work these claims out but as far as my findings I think excellent care was offered.

Motion by Mr. Stegman, seconded by Mr. Burkhardt to adjourn. Motion passed 6-0.

Filename: August 4 Council draft  
Directory: C:\Documents and Settings\gmccarty\Local Settings\Temporary  
Internet Files\OLK54  
Template: C:\Documents and Settings\gmccarty\Application  
Data\Microsoft\Templates\Normal.dot  
Title:  
Subject:  
Author: Clerk of Council  
Keywords:  
Comments:  
Creation Date: 8/5/2005 8:52:00 AM  
Change Number: 18  
Last Saved On: 8/12/2005 10:40:00 AM  
Last Saved By: Glenna McCarty  
Total Editing Time: 1,561 Minutes  
Last Printed On: 8/12/2005 10:40:00 AM  
As of Last Complete Printing  
Number of Pages: 24  
Number of Words: 10,122 (approx.)  
Number of Characters: 57,701 (approx.)