

**ST, BERNARD CITY COUNCIL MEETING
JANUARY 6, 2005**

The regular meeting of the St. Bernard City Council was held Thursday, January 6, 2005.

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

Roll call showed that all members were present.

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

REPORTS OF CITY OFFICIALS

MAYOR, John Estep – It's nice to see a lot of people out tonight, one thing about this turmoil we're in, it brought a lot of people together. Hopefully if we work together we'll get through this mess.

We've had quite a year to look back upon. We came into office facing a deficit in our budget of over two million dollars. We had to dismiss an employee, we had an employee pass away, and we have had employees lose family members, also the worst blizzard in 25 years. The bright side is Council, Administration and appointed employees have worked together very hard to make things better. We have made progress despite some of the obstacles we all have had to endure. I am optimistic that we'll get through the budget crisis soon by working cooperatively with one another.

There will be a communication coming out very soon with our recreation fees, and new schedule for Dial-A-Ride and other changes that must be made.

Now for the topic that everybody showed up for. The layoffs are going to be on hold because of possible litigation. I think with the track record the City has had with litigation over the past several years, we can't afford to cost the City another dime. We have been threatened with possible lawsuits this week, possible unfair labor practice. We can't afford to do this unless we know it's right. There are some procedural things in play that we have to do with Civil Service and also the contractual obligation. We've given everybody as much time as we can. We've worked on this since August. We've looked at every nook and cranny. There are some things we can still do better. Tonight, rather than jump into another lawsuit, it's like standing outside of a pond with four people saying there's alligators in there and four people saying there's not, I think you err on the safe side. So, we waited on a call up till five minutes before eight from our lawyer to give us a final word, but there are some procedural things I mentioned that we can and we must do before we make any announcements. I appreciate the patience. I know everybody that has a job on the line wanted to know tonight. I wish we could know tonight. I wish we could announce it and get it over with and start the healing. If we are going to do things right, professional and objectively, we have to make sure every (i) is dotted and each (t) is crossed. We've also put in a call to the State Auditors Office to see how much it

would cost and what the time line would be for an auditor to come from Columbus and do a performance audit of all three departments. I feel it would be a very objective and professional way to get through this mess. When you are treading into an area that is totally new for everybody involved, you want to make sure you go slow and you do things right and you don't do something, you don't tell somebody they're layed off and two weeks later you find out you shouldn't have done it. I don't want to harm anybody's family, I hope we can get through this with no lay offs and we've worked very hard.

AUDITOR, Mr. Walter St. Clair – The December 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 the Administration and the Labor Unions.

Payroll for the month of December:	\$ 423,149.53
Payroll year to date:	5,861,612.89

Other expenditures for the month of December:	\$ 473,320.53
Other expenditures as of December 31 st :	5,309,048.04

Total expenditures through the end of December: \$11,170,660.93

This is \$2.7 million more than we took in.

Before Council tonight is Ordinance No. 1, 2005. This Ordinance is an appropriation Ordinance for 2005 which authorizes expenditures for the year.

DIRECTOR OF LAW, Mr. Ed Geiser – Before Council tonight are two new Resolutions. Resolution 1, 2005 is the proposed 7 mil tax levy increase we put on the May 3rd ballot. You'll notice on that particular Ordinance it takes 2/3s of the members of Council to pass that particular Ordinance. Also you have Resolution 2, 2005 is the request that the tax rate increase from 2% to 2.1%. While researching this Ordinance and how to prepare it, in my research I found that City Council has to pass a tax Ordinance with the proposed rate in it, the 2.1%. That then gets submitted to the Board of Elections and is either approved or disapproved by the electors. We had passed a new tax Ordinance back in December, Ordinance No. 46, 2004, that did not have the proposed 2.1%. For that reason, you see before you tonight, Ordinance No. 2, 2005. It is the same tax ordinance you passed back in December, the only change being the increase of 2% to 2.1%, with an effective date of July 1st, 2005. Unfortunately when this was typed it was not corrected in the actual Ordinance, so on page four of the Ordinance you'll see 181.03 immposition of tax. Section A, at the very bottom of the page needs to be changed to July 1st, 2005, also at a rate of two and one tenth of one percent (2.1%). That is the only change. Council will need to amend that before passing the Ordinance.

TREASURER, Mr. Tim Bollmer –
Receipts for the month of December, 2004: \$ 566,668.04

Receipts for the year through December 31st, 2004: \$8,462,780.56

SAFETY DIRECTOR, Ms. Beth Luken – Over the last 5 years, 25 million Americans have fallen victim to identity theft.

Attorney General Jim Petro has unveiled a new statewide program designed to protect victims of identity theft from being re-victimized. The identity theft verification passport program provides state of the art equipment to law enforcement across Ohio to help identity theft victims reclaim their identities

The passport card can be applied for after the victim has filled out a police report with law enforcement and the attending officer verifies the report. The process of filing should take less than 10 minutes.

The passport program uses a number of security features to enhance its reliability and security. Though all the security features cannot be revealed, a picture, fingerprint and signature are being stored to be used as identifiers. If an officer stops someone claiming to be an identity theft victim, the officer can see whether the picture, fingerprint or signature match those stored in the database.

The department of justice provided funding for this unique program and hopes to use it as a pilot for other states.

Anyone with questions about the passport program can call 888 MY ID 4 ME.

I would also like to thank the crossing guards. They have worked hard to keep hours to a minimum, yet still provide safety for our residents.

SERVICE DIRECTOR, Mr. Joe Kempe – I only have one thing, on the budget tonight there is the Beech St. sewer project and Gerry Weidmann and myself contacted our engineering company JMA, we had a discussion with them this morning, they would like to come to COW next Thursday to fully explain the importance of this grant. We receive grant money, we have in the past and this project also is part of a master plan that was created several years ago for storm sewers within the City of St. Bernard. This is one of the grants, it's a very important grant because it is in the industrial part of the City. Turning this grant down could have some serious consequences for future grants to the City. It is very important for the infrastructure of our streets in the City and we just ask Council to consider having them come and if they could be on the first thing of the agenda it would be extremely important to take serious consideration for this grant.

Also, I would like to ask for Executive Session tonight concerning the Fire Contract.

TAX COMMISSIONER, Sheri Williams – (read by Mr. Joe Kempe). Please be aware that the new due date for filing a City of St. Bernard income tax return is April 15th and not April 30th as previously required.

Mandatory Filing has been implemented for the 2004 tax filing year. This means that **ALL RESIDENTS** of the City of St. Bernard are required to file a municipal income tax return with the City of St. Bernard Tax Department on or before April 15, 2005, regardless of whether you were required to file in the past.

New forms are being created to include a short form. This will make it easier to file for those residents with no earned income and those who are withheld at a rate of 2% or more. Please look in the right hand corner of the form for the short form instructions.

Due to the implementation of Mandatory Filing, the tax system will need additional updating through the end of January 2005. Because of this, the mailing of forms will be delayed. Do not expect to receive forms in the mail until the end of February 2005. For those who want to file earlier or for those who do not receive a form in the mail, updated forms will be available on our website at www.city-of-stbernard.org/stbtax@htm or in the tax office by mid to late January. Please keep in mind that even if you do not receive a form in the mail you are still required to file.

For any resident who has not registered with the City of St. Bernard' Tax Department, you need to contact the Tax Department to set up an account prior to January 31, 2005. You can contact our office via phone at (513) 242-7710, through email at stbtax@one.net, or mail at 110 Washington Avenue, Attn: Tax Department, St. Bernard, Ohio 45217.

Respectfully submitted,

Sheri Williams
Tax Commissioner

REPORTS OF STANDING COMMITTEES

FINANCE COMMITTEE, Mr. Phil Stegman – The Finance Committee urges passage of Ordinance No. 1, 2005 which is the budget, by emergency tonight. Also Ordinance No. 2, 2005 would be the amended Ordinance for the tax that was passed back in December that Eddie had said. Also, the Finance Committee urges Resolution 1 and 2 be passed by emergency tonight so we can get these things down to Hamilton County Auditors Dept.

Also, the Finance Committee met Mon., Jan. 3rd, as stated by John. There were some problems with possibly having some lawyers look at some things so nothing got accomplished. There were a couple of other line items discussed, taking out of the budget or lowering the dollars in the line item.

There will be another Finance Committee meeting Jan. 10th at 7:00pm.

I would also like to be put on the agenda at the COW next Thursday to discuss Executive Session and Committees. I asked Mr. Geiser about this situation. If any Committee Meeting would like to go into Executive Session for what Council was in rule of, and Mr. Geiser stated that, yes, you can go into Executive Session, just like at Council Meeting, even though it's

COW, and also ask the Administration to go into Executive Session with you. Also, the Committee is open to the public, but not always is the public allowed to be heard at these meetings, only if the Committee Chair or the majority of the Committee urges that the Committee open the meeting for the public to talk. I've opened these meetings up in the past because it is a very sensitive discussion on the finances of the City but I think we need to get back to the meat of what the Finance Committee needs to do and we are going to try to hold off on asking for any open remarks at the meeting. If someone would come to me and ask about a particular issue before the meeting that they want to discuss with the Finance Committee, I would open the meeting up to that.

SAFETY COMMITTEE, Mr. Bill Burkhardt – I have the December, 2004 police report. There were 10 disconnects of 911 calls, 40 accidents reported 26 alarm drops, 12 animal complaints, 37 misdemeanor arrests, 6 felony arrests, 52 assist other agency, 1 assault, 1 auto recovery, 13 bank security runs, 1 breaking and entering, 960 calls for service, 5 check on welfare, 8 criminal damaging, 2 criminal mischief, 5 debris in roadway, 101 disabled motorists, 8 disorderly persons, 10 domestic disputes, 13 drug investigations, 1 emergency mental hospital, 9 fights in progress, 3 fingerprints, 20 fire runs, 19 follow up on runs, 9 property found, 1 funeral escort, 47 investigate suspicious activity, 13 juvenile complaints, 25 lockouts, 1 lost motorist, 53 medic runs local, 8 medic runs mutual aid, 8 noise complaints, 44 offense reports (total), 27 offense reports (cleared), 62 parking complaints, 27 parking tickets, 1 pedestrian violation, 3 places found open, 1 radar/laser detail, 10 railroad complaints, 1 general robbery, 31 miscellaneous complaints, 6 suspicious auto, 9 suspicious person, 4 telephone harassment, 12 general thefts, 41 traffic details, 58 traffic stops, 6 traffic DUI, 37 traffic stops other, 15 speeding stops, 33 warnings, 10 transport prisoners, 3 underage consumption, 2 unknown trouble, 13 wanted persons, and 1 warrant service.

SERVICE COMMITTEE, Mr. Glen Wilson – The Service Dept. report for Dec. 2004 is as follows: We had 9 dumpsters and 10 trucks delivered and spotted at residences' homes. 211.16 tons of garbage was taken to the landfill. 22.8 tons of recycling and 9.8 tons of cardboard were taken to Rumpke. 55 lbs. of aluminum cans and 2.4 tons of scrap metal were taken to Moskowitz.

PUBLIC IMPROVEMENTS, Mr. Michael Schildmeyer – No report.

LAWS, CONTRACTS AND CLAIMS Mrs. Barb Kalb – No report.

BUSINESS AND INDUSTRY COMMITTEE, Mrs. Peggy Brickweg – I received a letter from somebody, I think she is in Ward 1, that she asked me to read to Council so I thought I would take this time to read it.

To City Council and the Administration:

City Council and the Administration seem to me to be choosing a property tax increase millage rate willy-nilly rather than on a studied and rational basis after careful review and fact based numbers of the city's needs. How can you reasonably expect the electorate to pass this levy?

It has been well known for a number of years, and your own auditor has warned you on several occasions, that revenues have fallen well below expenditures for quite some time. Did you plan for this four, three, or even two years ago by looking for more efficient methods, fewer full time employees, implementing fees for previously free services, raising fees where they already existed, avoiding unnecessary purchases, and crafting a plan to assure continuance of essential services? Did the city have a five or ten year plan in place? To the best of my knowledge none of these things were done until very recently. What I have observed over the past five years or more is the SOP of a time when the city had huge surpluses with little or no adjustment/planning to accommodate a drastically changed financial situation. Among them were many millions of dollars spent on non-essential items such as:

1. Constructing a large new municipal swimming pool (while closing down children's pools). In my opinion, that pool should not have been built unless a tax levy had been passed to fund it.

2. Numerous properties of dubious value, including but not limited to the Nu Maid site, were purchased with taxpayer funds, and apparently without an economic development plan for the use of the properties.

3. A prime piece of Vine Street real estate was given away without any requirement that a public library actually be built within a couple of years. If the majority of the community agreed with the giveaway of city owned property for such use, were other locations given adequate consideration? I think not.

What measures have been taken to encourage desirable new businesses to locate in St. Bernard? What has been done to reduce costs in the city budget? Has anyone considered having a professional efficiency study done? Might it be more economical to contract with private sources for such things as garbage collection or snow and ice removal (thus saving cost of equipment as well as manpower)? I know it does not make a Council person popular to reduce city employment, and truthfully that is not my preference either. But the financial situation the city now finds itself in requires serious consideration of these types of ideas. Have City Council and the Administration genuinely solicited and considered cost cutting suggestions from employees who often know best where savings can be achieved? Have employee unions been asked whether they would approve wage cutbacks in lieu of lay-offs and/or contracting out? Given a choice, they may decide to go with the pay cut as I suspect their salaries are now so high that contracting out would likely be less expensive. I know for certain there are plenty of people willing to do this work for much less than is currently being paid. Could the citizens have a listing of all city salaries by position title - Is this not public record since they are being paid with taxpayer funds. I have heard that salaries accounts for about 80% of the city's costs. If this is anywhere near accurate, then a breakdown of salaries being paid would be a critical piece of information to have when judging whether or not to approve a tax increase. How do these salaries and staffing numbers compare to those in similar sized cities?

Do department heads and supervisors closely monitor employees to insure a full day's work from everyone and take appropriate action if and when such is not the case? Are employees permitted comp time instead of overtime pay if they are willing? Are meritorious bonuses awarded for above average/outstanding job performance based on objectively measurable standards? Have volunteer workers been considered for positions such as crossing guards? If liability is an issue, would a salary of a dollar a year resolve the issue?

I am, of course, no expert on city administration but I am a long time resident and taxpayer who does not feel that our money has been wisely managed in the past. Until I have answers to the above issues and believe assurances that it will be spent wisely in the future I will be very hesitant to vote in favor of any size tax increase because I am afraid that passing it would only encourage more of the same with no lessons learned. Perhaps with a proposed tax levy we should also consider hiring a professional city manager and a corresponding elimination of a council member slot and/or administration position. Does the law require the current number of council members? Another idea that I heard floated earlier would be to place a tax increase request on the ballot that is designated specifically for the Police and Fire Departments. Being as the public safety is the primary responsibility of government – and is especially important in this age of terrorism – it might be wiser to go in that direction.

I implore you all to take the time and muster the courage to do what is necessary now, no matter how unpleasant a task it may be – that is why you were elected. If you do not, it is quite likely that the State of Ohio will have to step in and make these decisions for you.

Thank you,

Kathy Monahan
Bank Avenue

P.S. It would be very helpful if the e-mail addresses of all Council members, the mayor, and department heads were prominently listed on the city's web site. Sure seems odd to me that council demands to pre-screen and approve all communications yet make it difficult to send it directly to each of them.

All of the email addresses I did have I forwarded on to her. I know she sent this letter to people.

HIGHWAYS AND TRANSPORTATION, Mr. Zix – In December 2004 the Dial-A-Ride bus had 4646 passengers. The medical bus had 75 passengers. I would like to thank the drivers for their hard work, driving in the inclement weather. I would also like to thank the Service Department for their hard work, clearing the streets.

COMMITTEE OF THE WHOLE

Committee of the Whole
Dec. 30, 2004

1. All members of council were present, and approved the minutes of the Dec. 16th council meeting, 7-0.
2. After a long discussion and several votes by council on different millages, council voted 5-2 to put a 7 mill levy on the ballot, Mrs. Kalb and Mr. Zix voting no. Council also voted 7-0 to put on the May ballot a .1 earnings tax increase. Both will have to be passed as a resolution at the next council meeting.
3. Mayor, John Estep, no report.
4. Auditor, Walt St. Clair, no report.
5. Law Director, Ed Geiser, no report.
6. Safety Director, Beth Luken, no report.
7. Service Director, Joe Kempe
 - A. Joe will go out for bids for garbage bags with the intent to have them for sale to all the residents.
 - B. Joe will go out for bids for accompany to cut the city's grass.
 - C. Joe will look into the seniors request for the money that is paid to the president to put into their line item with the intent that the president will be voluntary position.
8. Business & Industry, Peggy Brickweg
 - A. Peggy read a letter from a resident concerning the administration eliminating the personal cars of the police and fire chiefs.
9. Public Improvements, Mike Schildmeyer, no report.
10. Service, Glenn Wilson, no report.
11. Safe, Bill Burkhardt, no report.
12. Finance, Phil Stegman
 - A. Informed council that the Finance Committee will meet Jan. 3rd at 6:30pm to discuss the final numbers for the 2005 budget.
 - B. After some discussion, council agreed to put an Ord. on the table for the 2005 budget, 5-2 with Mrs. Kalb and Mr. Zix voting no.
13. Laws, Contracts, & Claims, Barb Kalb, no report.
14. Highways & Transportation, Greg Zix, no report.

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

COMMUNICATIONS

12-17-2004

To Council, Joe Barnes, Harvey Bauer, Mark Sicking

Thank you very much for your concern and help when you responded to our call on Friday, Nov. 29th. Your quick action was vital to Kim's condition. Our paramedics are the greatest!

Thank you very much,

Kim Rhodeback Family

Motion by Mr. Stegman, seconded by Mr. Wilson to receive and file the communication. Motion passed 7-0.

12-15-2004

St. Bernard Administration and City Council Officials:

As a resident of St. Bernard for over 10 years, I would like to express my deepest gratitude for the unusual and sometimes "taken for granted" amenities this city has provided, and to which I have enjoyed and become accustomed. When I moved from Mt. Auburn to St. Bernard, I prayed to God that He would somehow provide me with a place to "workout". It was probably a good year or two before I somehow discovered the recreation/exercise facility, but when I did I realized God had answered my secret prayer. I felt like I had stumbled across hidden treasure. I grew up in rural Indiana. My parents were too financially challenged for me to participate in sports. I remember the pain inside when my gym teacher asked me to join the track team, and I just quietly declined. Money, living too far away from school, and being a "one car" family were some of the factors that prohibited my participation in high school athletics. I've had a life long desire to learn how to swim. Those dreams became realized just two years ago when I learned to swim in the spectacular pool facilities St. Bernard has constructed for our community-wide enjoyment. This year I started to "run", or rather "jog" over three miles on the treadmill in the St. Bernard exercise facility. When I am jogging I can't help smiling inside with thankfulness to God for physically allowing me to experience/realize lost dreams. As you may now discern, the focus of my letter concerns retaining the viability of the recreation/exercise facility located below the St. Bernard Public Library. The exercise facility is more than just a place to "shed" a few extra, unwanted holiday pounds. It's a "safe place" to practice social skills, walk off grief, stress, and pain; receive warm receptive smiles; offer words of encouragement and consolation; athletes can strengthen and tone muscles to prevent sports-related injuries; elderly folks can strengthen bones to prevent osteoporosis; everyone can prevent age/stress related illnesses and cardiovascular associated events. "Prevention" is the first line of defense when it comes to health and well being, besides proper nutrition. Research seems to indicate that regular exercise is a key component in

health maintenance. Staying physically and mentally healthy is not only important for the average citizen of this community, but also for our police and fire department officials whose jobs require a certain level of physical conditioning.

There are some things you can't put a price on, and I see those "priceless", "snapshots of community" occurring often at the exercise facility in St. Bernard: friends bantering; words of consolation given to those who lost loved ones; elderly individuals being respected by those who know their secret battle with breast cancer, heart disease and diabetes; pride shining on parents' faces as they talk about the achievements of their children in school and/or college; mothers sharing tips on child rearing or sharing recipes; husbands and wives waking side by side on treadmills; nuns mingling with parishioners; young people getting physically "buff" with their friends; fathers and sons pumping iron together; community members discussing current events . . . all while working out at St. Bernard's community exercise facility. In the words of an acquaintance, closing the exercise facility is sort of like white-washing a "Norman Rockwell painting". I would not want to be so selfish in petitioning keeping the exercise center open at the expense of a St. Bernard employee(s) losing their job. I am merely requesting that you carefully consider and exhaust all the options before turning the lights out and locking the doors permanently on the St. Bernard recreation/exercise facility and turning it into a "tomb of machinery and memories". Lastly, I would like to express my sincerest appreciation to the extraordinary and dedicated staff who work at the exercise facility: Pat, Bob, Bev, and Linda. These four individuals represent St. Bernard well.

I am saddened to hear this little community is facing such big economic decisions to keep St. Bernard a viable city. I am not equipped with the intellectual capacity to offer suggestions on how to avert a potential crisis. I do however pray that God will endow the elected officials, administration and community members with the wisdom, character, integrity, cohesion and cooperation necessary to resolve current and future challenges. God bless each and every one of you!

Respectfully and Prayerfully,

Sue Walker
St. Bernard Resident

Motion by Mr. Stegman, seconded by Mr. Wilson to receive and file the communication. Motion passed 7-0.

Dear Councilwoman Brickweg,

I am writing you this letter to express my deep concern over the city's senseless decision to relieve the police and fire department heads of their vehicles. I realize that you are not my councilperson, but I know you will have the integrity to read this on council floor, even though safety and services do not appear to be a popular agenda with this council and administration. It is tragic that the city is already running their safety departments at an unsafe level, but to further reduce the safety of the citizens for relatively no cost issue is incomprehensible to me. Do the politicians of

this city realize that they are effectively reducing the departments manning at emergency scenes? Do they realize what a valuable asset it is to have a chief on an emergency scene to provide safety and free up the existing supervisor for operations? Are they aware that on the recent Vine St. fire we had to rely on the presence of off-duty personnel to mount an interior attack because we were understaffed? Mutual aid departments dispatched at almost the same time as St. Bernard still took between 12 and 22 minutes to arrive! Why hasn't anyone approached the chiefs about buying their own gas? This would reduce the cost of keeping the chief's cars almost to nothing. Chiefs are not paid overtime, so their presence at an emergency scene at 3:00am is at no cost to the citizens.

The least the city could do is provide a vehicle with lights and sirens to provide a rapid response, and space to store their gear. In addition these vehicles serve as a base for tactical operations on large scenes. The several radios in each car aid in communication between different departments, and the incident command equipment in each car allows for strict accountability of personnel on a large scene. It would be a shame to lose these necessary vehicles and the added personnel they bring to a disaster scene for the pittance it would save the city. This city has turned a deaf ear to the concerns its citizens raised in meetings and surveys, I hope they will listen to plain old common sense. It would be refreshing to have this city work with the departments on at least one safety issue. Although some people in this city think it's an abuse for a chief to pick up a gallon of milk on the way home from work, I feel comforted by the fact that he is able to respond in an instant to an emergency. This is not a money issue it is a safety issue! Perhaps the city thinks they are smarter than every other municipality in this county that realizes what an asset a chief's car is. Yes, even a volunteer departments such as Elmwood, have a chief/s car!

Thank you for your time,

Eric Scherpenberg

Motion by Mr. Stegman, seconded by Mr. Burkhardt to receive and file the communication. Motion passed 7-0.

REMARKS

Mrs. Brickweg – For those that were at the meeting last week and were wondering, I did read that letter last week but after reading it we were told it would be looked into, but apparently the cars are, from what I've been informed, they have been taken to the garage and stripped of the lights and the sirens and Mr. Scherpenberg, Eric, decided that we should read it again publicly so the citizens could know what had happened.

Mr. Estep – There still will be emergency vehicles available for those chiefs to get to the scene. We just felt that, due to the crunch we are in, we looked at every nook and cranny to find everything and we felt to continually, and I didn't only pull their cars, I pulled Joe Kempe's and Gerry Wiedmann's to be consistent across the board. When you add up all the fuel, all the insurance, the gas, tires and all, for four vehicles, knowing that there is still

going to be a public vehicle available for any of those people, it's going to be cost effective in the long run.

Mrs. Brickweg – I would like to ask a question. I know you were going to look into it, I was curious first of all what the money savings is and are they going to be able to bring these cars home? It's like if Chief Scherpenberg has to go to a fire at 3:00am, is he going to have to drive to the fire house and then get in the car and go or how will that work?

Mr. Estep – I believe there is still another vehicle down there, a Jimmy, a truck, and there's another vehicle he can take home.

Mrs. Brickweg – What about the police?

Mr. Estep – I believe there should be a vehicle for the police, and I feel good having cop car on the street up there.

Mrs. Brickweg – Were you able to find out what the savings was, the amount?

Mr. Estep – I don't have the exact figures in front of me but we looked into it and we're going to save the city money.

Mrs. Brickweg – OK. If you can, later if you can email them to me I would appreciate it.

Mr. Estep – If I can find them.

ORDINANCES

Motion by Mr. Burkhardt, seconded by Mr. Schildmeyer to read the Ordinances and Resolutions by title only. Motion passed 7-0.

ORDINANCE NO. 1, 2005, AN ORDINANCE TO MAKE APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ST. BERNARD, STATE OF OHIO, DURING THE FISCAL YEAR 2005 AND DECLARING AN EMERGENCY.

Mr. Stegman – I make a motion to suspend with the second and third reading of this ordinance. Ordinance No. 1, 2005. This is the operation budget for the year, this is not the final budget as discussed at the COW, we had to come up with some numbers to put in these line items for the operations to continue. To begin the year with payroll, electricity and various line items, we went into a lot of discussion and it is not the final budget. We have given ourselves to Feb. 1 to come up with final numbers to get to a balanced budget for this year. This is a budget that is taking \$500,000.00 out of all the employees' line items to get a balanced budget, it is a balanced budget, but it isn't a true balanced budget. I'm asking for emergency for this tonight so we can pay the payroll and the operations expenses of the city.

The motion to suspend with the second and third reading was seconded by Mr. Burkhardt.

REAMRKS

Mrs. Kalb – I am very disheartened that city council and the administration have not been able to come to a consensus about how to balance the budget for this year. There are some very tough decisions to be made in this city. I know that the mayor and council have worked very hard. However, I am tired that no one is willing to make the final call. It is not fair to our employees who still do not know if there will be layoffs or how many. It is not fair to the residents who still do not know what services they will or will not have.

I will not be voting for this budget this evening. This budget, as proposed by the Finance Committee contains 1.5 million dollars in cuts from three departments' payroll lines which is ½ million more than we asked those departments to look for cuts to begin with. This means that there is still ½ million dollars too much built into this budget. By passing this unrealistic, bloated budget, we are giving our department heads permission to spend more money than they will have when the next "final" budget is passed sometime, hopefully by February 1st. We are only delaying the inevitable. This temporary operating budget should contain only money necessary to operate the city for the next month or two until the final cuts are made. I have been scolded at the COW for not trusting the department heads to do the right thing not spend money we are giving them permission to do. Over the years, departments have been spending more than we give them on a regular basis. Restrained spending by departments is only a recent occurrence. The Department heads are still learning how to live within the budget we give them and last year, they still found it necessary to come to council for more. I went along with it last year because it was a transition year for everyone. I think the severity of the city financial position finally sunk in. This year, I will not be voting for any additional appropriations unless there is an extreme need or the cost is beyond our control.

Given the current crises, I find it ironic that we are giving departments money and then asking them not to spend it. Why are we giving it to them in the first place? It just doesn't make sense. We are only asking for trouble. If this budget does pass tonight, I would like to have copies of all the purchase orders for this year, especially for the month of January. I need to monitor spending in the departments to help me make my decision on the final budget that will be put before council.

Mr. Schildmeyer – I have all the trust in the Auditor that he will do the right thing in making decisions on these purchase orders that come through for this month. I think the budget will be fine through the month of January if passed tonight. It can be looked at again in February.

Mr. Wilson – I will be voting for this tonight for only one reason, I don't want to see any of the city employees not paid. My only reason for voting for this is that we bring this up again and discuss it further at the COW next week and I would like it to be put on the agenda.

Mrs. Brickweg – I will not be voting for the emergency passage of this ordinance and I will not be voting for the 2005 budget. When the budget was discussed at the COW meeting last week and previous finance

committee meetings it was stated that the budget did not balance. We are spending more than 2.5 million than we are bringing in. City council voted to use one million from the reserves, but the budget is still 1.5 million too much. It was decided to take out \$500,000 from the police, fire and service pension line items. Since this money has to be paid to the pensions I feel we are doing an injustice faking numbers. I also am wondering why these employees were not told this was happening. I stated last week that council should continue the COW meeting and figure out a way to make the budget work. By the looks and reactions I received from council it was apparent this was not an option. We all knew for an entire year we needed a balanced budget and that we were way in debt. But like it has been done in the past we pass an unrealistic budget. I ask, is this how major companies make their budgets?

Another reason I am voting no is because I know we will have to make it work “now”. We can not simply say let’s meet next week to discuss it. I am willing to stay here all night if that is what it takes to make it work. This is one of the most important jobs we were elected to do. I know other members of council are dying to say “no it is the administrations job,” Here is an idea – lets all work together. We were elected to run the City of St. Bernard and part of running a city is making the budget work. It is very easy for council members to keep voting no to spending and then not offer many ways to make it work. I also found it very odd last week when some council members said they would vote for the emergency but not vote for the budget. If you know the budget does not work then why do you try to get others to vote for the budget and make it pass right away? Like I said before everyone knew that what was required of them and we did not do what was. So I will be voting no. I’d also talked to Barb and she said she talked to Walt that there was a possibility that we could have an Ordinance for payroll and expenses for January so people could get paid. Is that possible? I don’t want people not to get paid but I’m tired of having these unrealistic budgets and we all wonder what happened.

Mrs. Kalb - What we would have to do Mrs. Brickweg is amend this Ordinance to just include the payroll items in order to make payroll tomorrow and not pass it in this one.

Mrs. Brickweg - If I can I’d like to make a motion to do that.

Mr. Stegman - There’s already a motion on the floor and I’d like to have other time to respond, too.

Mr. Zix - I will be voting for this budget. When the administration returns this budget in its final adjustments to each department, I will be agreeing to spend one million dollars over our projected income. This is something I have not done since I have been in office. My voting record shows that I have voted to balance spending to income, but I do realize that we need to expend some additional dollars till we get through these hard times. After the passage of the permanent budget ordinance, we must not approve additional spending. It is my understanding those line items did not come from the Pension area did they?

Mrs. Kalb - No.

Mr. Stegman – I just have a few comments, I don't want to turn this into an argument, as of last Thursday, when we went over the budget, I asked if there was going to be a problem passing this tonight, I would stay here and go over every line item to make sure it passed. I got full complimentary from all people except for Barb and Greg, that they would go ahead and pass the budget. They would let us pass it by emergency, but they would be voting no. I said if there was a problem with that, that we would stay until we got it resolved. I wanted this budget passed because it is operations and its finance's thing. A half hour before I got here tonight I was asked about this. I had a Finance Committee Mon., we had other opportunities to bring this up. I don't know why it's being discussed tonight, I still feel that our Dept. heads can run their dept. as they see fit, I agree with Barb, with the money being as tight as it is, we cannot appropriate and try to shift money because of various squeeze that we had on various line items. We have to watch them and we need the Auditor to approve purchase orders before the actual expenditures. For this to come up tonight like this, I find it repulsive.

Mrs. Brickweg – Mr. Stegman the one reason I bring it up is to, actually there is two reasons, when it was being discussed I actually asked questions on how people could vote for it to go emergency and still not agree it was a good budget. I was basically told that I didn't understand what was going on. I went home and I thought about it, and I thought you are contradicting yourself and you are not standing behind what you think is right. The second thing is I have many employees asking about, how come they didn't know that money was being taken out of their line items. I'm sorry, in the beginning, it was discussed that the pension, ok I guess it's the payroll. The people that work for the City in those three departments didn't even know that. I'll be honest, I think they have every right to know if there is a possibility that we are taking \$500,000.00 out of their payroll and we have no idea how we're going to put it back in. I can't vote for that and if we can amend the Ordinance so they get paid that is what I would like to do. I have publicly stated for many years, these fake budgets are not the way to run this City. You have to have the correct numbers and you have to work until you get those numbers right. Don't make up numbers and try to change them the rest of the year.

Mrs. Kalb – I was giving this budget a lot of thought this last week and Peggy did make this comment last week because I did say that I was going to be voting against the budget but that I would vote to suspend the rules last week. The more I thought about it, and Peggy questioned how I could do that because I was talking out of both sides of my mouth, I've been thinking about it, and I've been thinking about it and frankly I didn't decide until about 6:30 this evening, I just can't do it. I've got to be consistent, if I'm against the budget, then to vote to suspend is not consistent if it is a budget that I don't and than to give it an easy way to pass is not a good way to go. I do apologize for approaching Phil a half an hour before the meeting. Around 6:30, I started calling members of Council, I was able to get hold of Mr. Zix, Mrs. Brickweg, and Mr. Wilson before the meeting. I did not have a chance to call Mr. Burkhardt, Mr. Stegman and Mr. Schildmeyer and explain my change of heart until a half hour before the Council meeting. I do apologize for that because I understand. But I did want them to know at least before the meeting so that when this all happened it didn't come as a total surprise.

I have to be consistent this year, we've taken ½ million dollars out of the payroll of three departments which is more than we were even asking for to begin with. It doesn't make sense, more money needs to be cut, we've got to be more realistic and I cannot support this budget in its current form.

Mr. Geiser – Just one point of clarification for those in the audience, you've heard discussions of passing by emergency and suspending the second and third reading, I just want to explain there is a difference between that. Every Ordinance has to be read three times over three separate dates. Council can suspend with the second and third reading, it has nothing to do with the emergency clause. They can suspend with the second and third reading and pass it tonight. It takes ¾ vote, which is six. Six out of the seven to pass it. Once an Ordinance is passed, whenever it is passed, either the first, second, or third reading then there is an emergency clause put in each Ordinance which takes 3/5 which is five of the seven to pass. Then it goes into effect immediately, without that emergency clause, it takes 30 days for the Ordinance to go into effect till the Mayor can sign it. Again, you hear a lot of discussion about emergency clause and waving the second and third reading are totally different. The suspension of the second and third reading takes six votes. Once it's passed, whenever it's passed, if you have five out of the seven then it goes into effect immediately rather than waiting the thirty days.

Mr. Stegman – With the discussion that just went on, as far as who was voting for and who voting against, and with Mr. Geiser's renewing the rules, it takes six votes to pass, it is going to go down, which is going to put the City not having payroll to pay or any expenditures payable tomorrow. I would like to ask what the solution is to have an Ordinance passed tonight so we can make payroll, would that be the right thing to do at this particular time? Peggy had asked Walt what could be done tonight to have the passage of Ordinance 1, 2005. We need to make payroll and operations payments so we can come back with a better budget for Council to pass.

Mr. St. Clair – Basically, what I understand, it would take an amendment to the Ordinance if you wanted to adjust amending the Ordinance to approve the line items that take of salaries. We could amend the Ordinance to that effect. The Law Director can correct me if I am wrong, because we haven't had the first reading yet, I would assume you could amend the Ordinance. Or we could amend it after the first reading, before the second reading you could amend the Ordinance. What we could do tonight, take Ordinance No. 1, 2005 and amend it to remove everything except salaries. Whatever you think necessary. I do have some utility bills in there, I have some other bills from various State agencies, but those could be, I guess, postponed. Any utility line item, any salary line item would be sufficient that you would adjust the Ordinance to cover.

Mr. Burkhardt – Then that budget is no more realistic than the one we have in front of us. What is the difference? We all agreed to this budget last Thursday. This is totally ridiculous at this time to back out. This budget is going to be looked at again by February 1st, everybody agreed to that. The Administration needs some time, I don't see why we can't give them that time and this budget to me is perfectly fine the way it stands.

Mr. Schildmeyer – I understand what Walt is saying and I agree with Mr. Burkhardt, I think its going to take the same time no matter which way you go here. If you pass the budget the way it is, the way it stands, you're OK with the payments to all the employees, you're OK with all the utility payments, we are still open for discussion until February 1st on any other line items that might need to be discussed. I see no difference on what we're voting on.

Mrs. Brickweg – I'm wondering if the employees see it the same way. You're taking \$500,00.00 out of their payroll line item and saying we're going to put it back. These are the same employees that we're threatening to lay off. That is what they are having a hard time with. It is all by word of mouth, if we do that, the payroll is met, if you don't want to stay here all night tonight and do it tonight then make it for the Finance Committee meeting on Monday night. I think it's wrong what you are doing to the employees and no one even told the employees what was happening.

Mr. Stegman – A million and a half balance out of three different depts.. Walt, let me ask you a question, we have a 2.1 million line item for the Nu Maid property. To split the \$500,00.00 in all three depts.. back in, can we remove \$1.5 million out of that line item tonight amending that and putting that money back in or would that be a problem with the State, saying that they had to have that money appropriated?

Mr. St. Clair – My problem with that would be that that money would be due and payable in July and therefore that money has to be appropriated. What we told the State Auditors when they reviewed our books for 2003 was that we had no intention of paying that debt off in full that we were going to renew it and therefore we didn't show it as an appropriation. They indicated to me that that money had to shown as an appropriation, to its full amount as a potential expenditure of the City. That is our liability, 2.11 million for that note and that should be fully appropriated.

Mr. Stegman – I understand that, but just to make that switch tonight, which would be a quick fix to offset the 1.5 that we took out so Mrs. Brickweg doesn't think that we're actually taking all the cuts out of the employees just for having them feel that they are going to be laid off because of the \$500,000.00 out of each line item.

Mr. St. Clair – I understand what you're trying to say, I guess, but it just seems to me, in my opinion, it's just not realistic, which is what is the whole problem is in the first place. You can take money out of any line items and it is just not what we're talking about what is being realistic.

Mr. Zix – I think we should pass, I was one of the ones that was against it last week, but after seeing that we do need some money in there, the million dollars in spending, I think we should pass what we have in front of us. We did agree to spend a million dollars, this gives us a guide line, I think we're tying the hands of our Mayor and his staff to try and start to shape the City up and how they are going to run it. We have to give him something in hand to be able to start his process to run the City for the year.

Mrs. Brickweg – I understand that the Mayor needs a budget, but a budget that's not true, I don't see what we're giving him. We're giving him pretend numbers and saying run the City on these pretend numbers and we'll think about it and figure out how to fix it later. That's not how you run, I mean this City is a Company, that's not how you run a Company. I am going to be very honest, I sit up here on Council and I work for the citizens. I know we're supposed to call each other and tell you how I'm going to vote or how I'm not going to vote. I think all week I talked to people, I see what people think and then I make my decision. I'm sorry you feel like I change my mind to hurt you, I didn't, I did it to help the City and to listen to the citizens.

Mr. Stegman – Peggy, I don't have a problem with that, I had a Finance meeting Monday, I asked Thursday, if this was going to be a problem, if anyone had second thoughts, I wish they would have brought them up Monday night. I would have projected these numbers a heck of a lot different so that we would have something to pass tonight with everyone's approval. That is why I asked Thursday night, is this OK with everyone? Everyone said, yes!

Mrs. Brickweg – I remember commenting to Mrs. Kalb and Mr. Zix that I had a problem with the way it was going, so you knew I was having a problem. How can you vote for something and then say, send it emergency. The more I thought about it, I went home, sometimes it just takes me a while, I want to look over these numbers and grasp them and ask people and talk to people. It was a COW meeting, I was not voting on an Ordinance that night. I came to that Finance Committee on Monday night and it was a fiasco. We couldn't even agree on anything that night. We've known all year. I don't see how we're 1.5 million short. I don't see how from Mon. to Thurs. it was going to work unless we were all together. At the Finance Committee Meeting not everyone was together. either. My one question is, is there a reason that we can't do an Ordinance for payroll to be met and then we can get a budget hopefully done by the COW? Am I mistaken that there is a reason that that would be a good thing to do? It is not the same thing, because we're appropriating money for payroll and not the other thing. If we went ahead and approved this, you're approving the whole thing. It is different to approve one part and not approve the whole thing.

Mr. Zix – I just want to state, if we knew this all year, why did we spend 2.7 million over then? I think we need to not tie the hands of the Mayor. We need to get him going and have something in place where he can get started and come back and address this and we can get into decent shape.

Mr. Stegman – I have one more response and that will be the end of my response. Just so you know, Peggy, we depend on the Administration telling us what they are going to operate, what they're not going to operate, who they're going to staff, who they're not going to staff. It's not the Finance to say I'm going to cut the Dial-a-ride money out, I'm not going to cut different things. It's not my decision, the operations of the City. That's why the Finance Committee doesn't have true numbers for this budget. As of Mon. night there was \$220,000.00 in the Dial-a-Ride. The Mayor made the decision to lower that even more. Every week there has been decisions on what else can be lowered. Until the Finance Committee gets the true

numbers with everything that John and the Administration want to approve, then the Finance Committee won't have their hands locked. I am trying to give you guys a balanced budget of the 8/6 and the 9.6 with the added million dollars that City Council approved, and some form of a line item to keep the City operating. No, this is not how I wish to operate it, but I don't have any other way of doing this until somebody gives me some directive or which way they want to put these line items. Whether it be payroll, I need to know how many personnel we are going to have. I can't put line item numbers in unless I know that number. The same way with the operations of the City. It's not all Finance, the reason we can't have a budget here tonight. I have to rely on the Administration and how the operations of the City is going to go before I can put down any true numbers.

Mr. Estep – Mrs. Brickweg, I appreciate your support, Mr. Zix I appreciate you giving us a little time. I hope we can all see that we could have had a knee jerk reaction a couple of weeks ago and been in a bigger mess. I think all seven of you up there have been working hard with us. We all appreciate that. We didn't get the calls back that we were hoping to get by tonight to make some of these decisions to get Phil some final numbers. We have reduced the hours of Dial-a-ride, some other things, implemented some fees, it is going to offset some of this, but it's a big boulder to move. It is going to take everybody working together. If it means giving in on this tonight to make sure that payroll is met, I hope we can come to some agreement tonight, however we have to do it, whether it is an amendment, or an Ordinance. I think we might have to budge a little bit one way or the other tonight, I know it is hard for a couple of you and I'm looking at Mrs. Kalb right now, we have to do what we have to do tonight. We have to make sure that payroll is met and hopefully within the next week we'll find out more about what we can do legally. Then maybe the two departments can come up with something that will help us get through to be in better shape than what we are now. I thank all of you.

Mrs. Brickweg – Is it a possibility to take the money out of the general fund? Out of the reserves to make it work, instead of taking it out of the budget take it out of there and then when you get the budget to work put it back into the reserve. While we have the 3. something million dollars in the bank, and I understand I know we owe 2.1 to Nu Maid, can we not, I know we voted to give 1 million to make the budget work, can we vote to use more money in the reserve to get a balanced budget and then when you make your cuts you can put the money back in the bank.

Mr. Stegman – I think I understand what you are asking is to go back up to the 10.6 million that we started at in January of last year and that is what I think Mrs. Kalb is wanting to avoid, putting more dollars into the line items that is very necessary. That is what I understand you to say.

Mrs. Brickweg – You said you wanted to amend it in Feb. anyway. What would be the difference? You're putting 1.5 million in from the payroll, I'm saying can we put 1.5 million in from the reserves and you can amend it the same way. I don't understand what the difference is.

Mr. Stegman – I really don't understand if all three depts.. we took the \$500,000.00 out of which we have well over \$1,000,000.00 in each of the

line items, the fire has \$2,000,000.00 and the other departments \$1,000,000.00. I don't know what the big discussion is. It's not like we're \$500,000.00 minus in these three departments to pass this budget tonight and be on with it.

Mrs. Brickweg - I'll be honest, if it myself, and I had money in the bank I would take money out of the bank to make it work. I wouldn't take it from my kids' bank account to make it work, I would take it from my bank account.

Motion for suspension needs six votes so the motion for suspension failed. 5-2. Mrs. Brickweg and Mrs. Kalb voting no.

Mrs. Kalb – At this time in order to make payroll tomorrow, I would like to make a motion to amend Ordinance 1, 2005 to include all the payroll line items, any utility and phone line items. I've been told by the Auditor that there will be a bill from PERS and the Police and Fire Pension Fund for last years' quarterly payment that is due this month so any PERS or Pension Fund payment line items should remain. He does have a bill from the Law Director for professional services and he himself has a bill for stationary for the purchase of the pay checks for which we want to pay our employees. So that at this time in order to make payroll tomorrow I want to make a motion to amend this Ordinance to include only those line items and I think that if there is nothing else in this budget it will force Council and the Administration to get this done. It's been taking way too long.

The motion to amend Ordinance No1, 2005 was seconded by Mr. Wilson. Motion failed. 4-3.

Mr. Stegman – I still feel that it has to be passed tonight. I will make every attempt to make this pass tonight. I don't understand why taking \$500,000.00 out of each line item of employees. Would there be a problem of taking it out of their Pension verses, or any other various line item to go ahead and get this passed so the various line items can be paid.

Mrs. Brickweg – I still did not get an answer why we can't take it out of reserves. Is there a reason why we cannot do that or why people don't want to do that. Nobody answered me.

Mr. St. Clair – Maybe I can comment on that. If you look at the front of your Auditor's report you'll see the cash balances in the various funds. In the second column from the right called the ending balance. You'll see in the General Fund there's \$2.6 million, in the street maintenance \$300,000.00, swimming pool fund \$33,000.00 and on down for the various funds that we have. Those are the cash balances that we have that we are able to spend. What I've said in the past is always to remember we have debt that is in excess of what is available to spend. That is not that unusual in that most people are in debt because they pay off houses and cars and all those things so these are operation funds that are available. I think what Council's intent with a balanced budget was to get the expenditures down to what the revenue level is and we projected revenues this year of \$8.6 million and the expenditures as shown on the Ordinance itself are way above that. The difference between the \$8.6 million and what we're showing in this

budget could be handled by these cash reserves, but then again, it is like taking it from the bank and spending it, that is correct, but then again, once it's gone it's gone, obviously. That is kind of what that means when you say the reserves, that's the cash that's available to spend right now.

Mrs. Brickweg – I agree with you, that's kind of what I was saying. If you worded everything you just said the same way and put in the employee payroll and word it the same way, once it's spent, it's spent. That's the problem I'm having. We can take it out of reserves and put it back in. Just like we're going to take it out of the payroll and we're going to put it back in. I think the employees and I know I feel a lot more comfortable doing it that way. I think I guess if I was doing this as my budget at home that is the way I would do it. I understand we have to get the money back in the bank. I totally understand that but if you're telling me we're going to adjust it and we're going to make a budget work then we can put the money back in there in Feb. like you said you are going to do anyway. If any employees or anyone else from the audience would like to comment maybe that would help.

Mr. Weidmann , 4645 Park Pl. – Why couldn't we add the \$500,000.00 back into those three line items, if this is a temporary budget anyway, why couldn't put those numbers back in that budget, then take 25% and adjust every line item in that budget to reflect only a 25% amount and let go for the first quarter of the year. You would have enough money in there, it could very easily work, a lot of the time that the Mayor may need or Council or the Finance Committee. We would have the opportunity to do that and you're not breaking the bank, you're not interfering with the \$2.1 million that we need for Nu Maid, or the potential of them calling the note. I don't know why you couldn't put it all back in there and take 25% of it and let it go for a couple of months.

Mr. Stegman – There was a suggestion like that brought up last Thursday. That's not a problem. Still 25% of the salaries of the employees that were having a problem with just taking money out of their line item, that would still be a salary line item. We would be taking money out of every line item it would still be 25% of their salary. The same as what we stated here before with the Ordinance, it is temporary budget. It is not like we're going to spend the \$500,000.00 out of each line item either. It's still coming out of payroll and that was one of Peggy's reasons for not doing it.

Mrs. Kalb – Mr. Weidmann, that was a very reasonable suggestion. My math has been known to be very poor, 25% of the \$11.2 million budget is \$5.6 million that we would reduce this by so that would actually in effect take us under the potential \$9.6 million, which is the point that I was trying to make, and that is, Council has said, \$9.6 million which in my opinion need to be adjusted a little bit upward and I will address that later, but my concern with this is that with the \$1.5 million taken out of only the payroll items there are line items in there with more money than they're going to end up with and that is unrealistic and that money can be spent because even though this is considered to be a temporary budget it's there and it can be spent. I would go along with an across the board, let me go back here, he said replace the \$500,000.00 in each of the payroll line items and then we do a 25% across the board. My math did not put that \$1.5 million back there

so it won't be quite that much but I could do that. It is still less. My concern all day, and I have been going back and forth, the thought of not making payroll tomorrow bothers me to death. It is why last week I said I don't like this budget, I'm not going to vote for this budget but I will suspend the rules and as this week has gone on after I attended the Finance Committee's meeting last night, after I have had discussions with other members of Council over the past week, I just couldn't support the budget and I couldn't support the suspension of the rules. I can however, since this is a temporary budget, this is what I'm asking for, I'm asking for a reduced amount that's actually going to be less than what they're going to end up with at the end of year and I can live with that.

Mr. Zix – This does allow us to spend, and we're looking at a million over already, by allowing one quarter it will be about a \$1.4 million. That \$400,000.00 spent this quarter will have to be made up the other three quarters of the year or we'll have to figure on going in the hole, similar to what was spent \$2.7 million over so that's what we're allowing by putting that back in. We had suggested, myself and Barb last week, to do it for one month, that steps it up and hurries the process. I do want to do that as 1/12 that would only then be the 1/12 into the \$1.5 million. It would allow maybe \$100,000.00 \$125,000.00 over that amount.

Mr. Estep – I know it's early, but I'm going to start the campaign tonight for the 7 mils that are going to go on the ballot and the 1/10th of 1%. I hope everybody when they vote in May, they remember this night and they think back and reflect the seriousness of the situation we are in. Remember that before you vote for that 7 mils and 1/10th of 1%.

AUDIENCE

Dave Strotman, 4232 Minmore Dr. – I am a lifelong resident of St. Bernard, and I appreciate all the work Council puts in, I understand this is a part-time job and you take on a full-time responsibility. The problem I see is that in the middle of the night when there's an emergency there's fire, there's police, if the road buckles there's the service dept., this city runs 24/7. We're worried about the State coming in, after what I've heard tonight, maybe we should invite the State to come in. I'm not saying this to be mean, I'm not saying this as anything else other than a concerned citizen, but this problem is big, it's real big, and I think it's beyond us. You guys are part-time people and you guys have to devote full-time to this and your job too. It's impossible, we need help. Let's invite the State to come in, they might have some good ideas they can help us. If not maybe a full time city manager. Maybe we can avoid situations like this.

Mr. Zix – I think the Mayor is bringing somebody in from the State.

Mr. Estep – We've already contacted a guy at the State Office. the State Auditor's Office. I think Mr. St. Clair's has been on the phone, or tried to get in touch with them. He has my number, he hasn't called me back yet in the past two days but we have contacted them to do a proficiency audit of every dept. I agree with Mr. Strotman, I think everybody has the right intentions but as far as time and expertise I think we'd be better off to have somebody from the State come in. I hope they can do it in a timely manner,

it's not very expensive, but whatever the cost is I think it's going to be worth their while.

Mr. Stegman – I also want to thank Dave Strotman, I did make that comment Monday to Walt that I think we ought to bring the State in to have two evaluations. I noticed that Norwood is also doing that. They are bringing in somebody to evaluate. It takes two to three months to find out exactly what they would do in the situation if they would be called in under emergency. It would give us a little bit of clarity of what needs to be done. It is hard to be a part-time person and try to keep your finger on everything that goes on in this City 24/7. We rely on a lot of things. I don't have a problem with that comment. I always try to consider everyone's comments. I have been doing some quick numbers in my head, 30% would probably come close to what we want. I would like to get Peggy's response, would that still be OK because it is coming out of the various funds of the employees that she was having a problem passing. Would 30% get right down to where you didn't have that figured in, would it be OK if the employees were part of the line item.

Mrs. Brickweg – Mr. Zix had an idea before, maybe I misunderstood, to do a one month budget. I like that idea.

Amy Doddy, 220 McClelland – I kind of going a little bit backwards here but I'm curious as to why five of the members of Council are willing to pass the whole temporary budget but four of the members are not even willing to pass a temporary amendment that Peggy motioned for to get the employees paid tomorrow. That seems a little bit more emergency than this temporary budget that everybody wants to pass. I was just trying to get a feel for why nobody, not nobody, but why people don't want to get fire or police paid tomorrow.

Mr. Zix – I can give you my response. I still want to pass this budget here so it gives the Administration something to work off of. That's why I voted against it. I think the solution we should have tonight with the 1/12th possibly will get us there with less spending, less overspending. Hopefully we don't overspend but with less overspending. That was my reason.

Mr. Schildmeyer – I think the budget that we had originally to pass tonight would have worked. I think that the time it would take to amend everything such as doing it with the 1/12th or either with the new project that might be coming into for changes in line items for the next month. It's all going to work the same way. We've done budgets like this for the last 10 years 12 years or even more where it's been past and then reevaluated and then passed again.

Amy Doddy, 220 McClelland – I hate to say it but that doesn't seem to be working. I appreciate, like everybody has been saying, we know that this is a part-time job for you, we know you don't have the time to put into this but at this point too much time has been put into it and nothing has been done. We're begging you as our Council people to put a little more time in to get it done. To make it make sense and get it done.

Mr. Schildmeyer – That is the direction we are trying to head to tonight.

Mrs. Brickweg – I would like to comment on that. I've always said that I don't think that, I call them pretend budgets work. I think that is one of the main reasons we are in the situations we're in, that and way much too much overspending. But I guess she Ms. Doddy did have a very good point. You're willing to pass the budget but you're not willing to pass just one part that will get everybody paid. I didn't really think about it that way but that does make some sense. If you pass the whole thing they get paid, if you just pass one little part, they would get paid, we could meet, I'll meet every night next week with anybody that wants to to help get this budget going, if we don't want to do the one month. What's she is saying makes a lot of sense.

Mr. Stegman – I don't know everything that all the Dept. Heads have, they might have to enroll somebody in a school, they might have to have money in a line item, but if you're only going to put payroll in or the electric or whatever, that just ties that man's hands of going to maybe the only school this year. There are things like that that the Dept. Heads have to have available funds for things that are needed now. You're taking it right out of the Dept. heads hands and saying we don't trust you with this money. We are only going to trust you with the payroll for right now until we get a final number. It could be as easy as the ambulance supply line item, which dwindled very low last year, they might have to be rushing down Friday to buy a bunch of stuff but we only appropriated the money to spend for their payroll. We do need to do that, we will stay here all night if we have to, to pass a budget, but I think we are tying our Administration's hands and also the Dept. heads for the job that they do and that is what they are paid to do, and they realize the budget crunch we're under, they should take that under advisement of these items and not tie their hands. To explain to the lady that was just up a the microphone, I'm sorry I didn't catch your name, there are various things in the City we ran very low on, there might be things that absolutely need to be bought to operate the City, whether it be the ambulance equipment, the police incidental line item, thing that absolutely need to be done. Payroll is not the only thing that operates this City.

Mrs. Brickweg – What about the one month budget? What about a one month budget?

Mr. Stegman – I have no problem with that. That was suggested Thursday night too.

Ricky Paul, President of Norwood Firefighters Local 445, 2320 Lytle Lane, Norwood, Ohio – Just a point of clarification. Norwood is a lot different than St. Bernard. We are currently under fiscal watch. A performance audit is a free service if you are placed in a fiscal watch or financial fiscal emergency. Our performance audit starts on the 24th of this month and will be concluded around May or June. I don't know what it cost or whatever. The way to get there is fiscal watch, fiscal emergency and that's a free service. If you're having a hard time with the budget now, in six months or another 25 min. it's probably not going to get any better.

Sherry Scherpenberg, 142 Church St., - I just have one simple question. You guys are up here talking about all these suggestions you want on how to do this tonight and yet I was at the Council meeting Mon. where you had all

this time to come up with these ideas and hear all these ideas, and there were some great ones, and now half of those people couldn't even make it tonight and you've got Council members up here making decisions, Mr. Burkhardt maybe you can answer this for me, I mean, you're up here voting on this, making an informed decision, when you weren't even here to listen to the suggestions that these people had, but yet you're going to compile this list of (expletive deleted), give it to us today and then just lay it out and now ask for suggestions, what about Monday? You're willing to stay here all night tonight just because you got two people to vote against it. What about Monday?

Mr. Burkhardt – I wasn't able to make it due to prior commitments on Monday but I've been to every meeting prior to that. I've listened to tons and tons of suggestions and I'm not making this just on a whim. We sat and we hammered this out and we had an agreement that this was the budget we were going to pass tonight. Everyone did agree last Thursday. They all agreed to this budget last Thursday. To me it seems like a political agenda that these two have. This is a perfectly fine budget to pass until the Administration and Council get together again and hammer out the final numbers. There is nothing wrong with this budget as it stands.

Mrs. Kalb – The only vote that I changed, I was against this budget last week, the only thing that changed my mind on is whether it should have all its readings this evening. My position on the budget has not changed one iota.

Mrs. Brickweg – First of all, I don't belong to any political party so it would be very difficult for this to be a political game. I am totally independent and on my own. Mr. Zix also said he was not going to vote for it, he changed to yes. So I guess he's better, he changed his vote into the way you want it. It is not anything political, it is listening to the citizens and watching the last three, four, nine years where these kind of budgets put us in the place we're in now. That's why.

Mr. Stegman – Just to go back to a question I had about whether it would be 25% or 30%, now it's 1/12th. That is going to draw more money out than the \$500,000.00 out of each one of the employee lines of being only 1/12th of the budget.

Mrs. Brickweg – I am OK with a one month budget and then if we cannot get our act together and have a budget by February 1st, we should all be kicked off Council.

Mr. Stegman – I will make a motion that we put 1/12th of this budget, per line item, put into the budget tonight and make a motion we pass that tonight for the operations of the City and the payroll and hope the Administration will come up with some final numbers so that yes we can pass this and have it finalized on February 1st. I do make that motion to have 1/12th of this budget passed tonight.

Motion to amend Ordinance No. 1, 2005 was seconded by Mr. Zix. Motion passed 7-0.

Motion by Mrs. Kalb, seconded by Mr. Zix to suspend with the rules and give Ordinance No. 1, 2005 as amended, second and third readings. Motion passed. 7-0.

Joe Barnes, 4229 Minmor – Are you guys going to amend this after you add the \$1.5 million back in or are you going to amend it the way it is written now because if you do that that 1/12th is that much short of what it's supposed to be.

Mrs. Kalb – I have a question for the Auditor. We need to put that half million dollars back in and do a 12th in order to get a realistic budget for those departments don't we?

Mr. St. Clair – Yes, if you want it to cover the payroll for the month of January, because it will be two payrolls.

Mr. Stegman – I would like to amend Ordinance No. 1, 2005 with adding the \$1.5 million, \$500,000.00 of each dept. payroll line item back in and amending that and then having 1/12th of the payroll for the month.

Mr. Wilson – I will second that. Thank you Mr. Barnes.

Motion by Mr. Stegman, seconded by Mr. Wilson to amend the amended Ordinance No. 1, 2005 to include the amounts previously deducted from the payroll ordinance.

Motion passed 7-0.

Motion by Mr. Stegman, seconded by Mr. Burkhardt to suspend with the second and third readings of Ordinance No. 1, 2005.

REMARKS

Troy Mirick, 4292 Minmor, I am employed by the City of St. Bernard Fire Dept. – I have some comments to make. I am a little upset about the cuts in the budget. I don't think it's being looked at objectively. You took one half million dollars from three main departments, yet you make no cuts from things like recreation. It bothers me, my fire chief doesn't have a car to respond to assist me as an officer to run a fire or emergency scene yet we have \$4000.00 for water aerobics. Just something ain't right about that folks. We need to, I think, look at this and you can't just make across the board cuts you need a little bit more objective. We had a fire about three weeks ago on Vine St., a lady luckily got out alive during the daytime which very fortunate, she got out of her house in her robe, two kids and a father and mother lived on the second floor overlaying the first floor. Fortunately, four of our off duty gentlemen took the time to be in the area, stopped, and helped us. We were staffing at six that day which is less than we ever worked with. We normally have seven. Six is the bare minimum to do anything. Fortunately we didn't have to rescue anybody, I did have to call for a medic unit cause the lady had smoke inhalation because we do not have the staffing to deal with her. It took that medic unit 30min. to arrive. 30 min. is a long time during the day. If those folks would have had to get here at night, it would have been longer. Norwood is our first call. They are a professional fire dept., we know that they have professional training, we

know they know their job. It took them 20 min. to arrive. I called Elmwood Pl. who is next door, they took 25 plus min. to arrive. This is during the day. I heard there were comments made about, thank goodness we have mutual aid and those type of things but, as an officer it really bothers me because I have the responsibility for the people of this community, I got the responsibility for the guys that work in my shift that they go home the same way they come, safe. It really bothers me a lot, Mayor, all respect, you said the two departments you can make more cuts, I don't know if that's a Freudian slip or what, I think you're talking about the Police and Fire Dept. Our Chief cut our budget \$300,000.00 last year and you want \$400,000.00 more this year, it doesn't even allow to pay the people that we have. I know our people made 9% less this year than they did last year because of cuts that went into effect to try to do what we could do to help the City. That's just on payroll, that's not even counting the other cuts we made. We're not doing the training we're required to do, that bothers me, I'm responsible for training. Business is bothered by this, I've gotten phone call from various people in the business community. We think about the citizens over here on this side of the railroad tracks and we care very much about the citizens. The biggest tax payer are on that side of I-75 and we're the department that deals with them the most. I've had numerous calls where they're concerned what's going to happen if we have a large incident. They're concerned about it. The fact is folks, if you look at how business operates these days, if P&G has a plant that burns to the ground, they're not going to rebuild it here. Currently P&G's the largest producer of nitroglycerin in the world, they have a new plant in Malaysia. If something happens to the plant here in St. Bernard they will build over seas. Smuckers just built a new plant, they built in a rural area where people are willing work for \$10 to \$12. an hour. If we lose them, they're not going to come back here, they're going to be gone. Fortunately, they're has been commitments to the City, but again I think you really need to look at what's going on. I think of that fire on Vine St., if that had been two in the morning, I wouldn't have had four firemen walking around to help us get things going. I would have had to make rescues, and all I had was six fire fighters, we wouldn't have done it. It's important for me, it's my job to see that I can sleep at night, so I have to reconsider your cut and think about public safety, it's very important.

Mr. Stegman – I have some comments about what you first started out with. You said something about water aerobics is a \$4000.00 line item for that. There's also some various other line items like the trash bags, \$18,000.00. These line items have to be in our Ordinance. These items are being paid into the General Fund and have to have a line item to be taken out. Once it's paid into the General Fund people have to be paid for the water aerobics instructor, the garbage bags that we have to buy, even though people are going to buy them, it's going to go money into the General Fund and to pay for those trash bags we have to have a line item to pay those. So some of these line items are money coming into the General Fund, these various line items have to have money into them so that we can pay the bills. I just wanted to clarify that because there were some people Monday night asked about those same items. I just want to make sure it's clear that we're looking at all these things too.. Water aerobics isn't something that we're looking over verses a fireman or policeman or service of anything like that. I just want to make sure that's clear. Money is coming in to pay for those

services and money has to be appropriated out of the line item, that's the only reason they are in there.

Motion on suspension passed 7-0.

Motion by Mr. Stegman, seconded by Mrs. Kalb to adopt Ordinance No. 1, 2005 as amended. Motion passed 7-0.

Mr. Stegman - Mr. Geiser brought up that there were two spots that needed to be amended. I would like to have that amended before we actually read it. It was on section 181.03 that be changed from 1985 to 2005 and the % of 2.1 per annual gets changed prior to the reading. I'll make a motion we have that amended.

Motion by Mr. Stegman, seconded by Mr. Burkhardt to amend Ordinance No. 2, 2005 as specified previously by Mr. Geiser. Motion passed 7-0.

Motion by Mr. Stegman, seconded by Mr. Burkhardt to suspend with the second and third readings of Ordinance No. 2, 2005.

Mr. Walden – We will hold that motion until we have the first reading.

ORDINANCE NO. 2, 2005 ORDINANCE AMENDING TITLE NINE – TAXATION – CHAPTER 181 OF THE ST. BERNARD CODIFIED ORDINANCES, TO INCREASE THE RATE OF TAX ON INCOME TO 2.1 PERCENT, AND DECLARING AN EMERGENCY

AUDIENCE

Gabe Sanders, 4415 Sullivan Ave. – Due to time restraints, I have to leave but I want to make some quick comments. I have a real problem with Ordinance No. 2 and also Resolution No. 1. It seems to me somewhat fiscally irresponsible to ask the citizens and I want to represent them, but an extra income tax, and I know it might be a good thing in the long run, but if you haven't figured out what you're expenses are, how are you able to come to the public and ask us for an increase in revenue through mills or through tax Ordinances. I don't want to delay things anymore than they are but it's really not our problem. Where is the logic in that? How do you know what you're going to need, the revenue you're going to need to bring in, if you haven't even figured out your expenses yet. If you're not able to comment on those due to legal ramifications, how are you able to comment on the revenues you need to bring in without fiduciary responsibility or ramifications. This kind of goes back to the same thing of the 12 months, don't pass a budget for 12 months, because you don't know where you're going to be in 12 months, this is the same logic, and there is not a lot of logic going on tonight but this all kind of falls in the same thing. So I need an answer.

Mr. Stegman – I'll try to answer that. I guess I have to base my decisions on how the performance over the last five years have been. We've been spending anywhere between \$10 and \$11 million and we have been over the last 5 years. Our projected income is at \$6.8 million up to \$9.4 million, that's what was projected for last year. That fell way, way short of what we actually brought in, so the projections of what we're actually supposed to be

bringing in verses the actual budget that we're actually passing are about \$2 million, With the 2.1% that is being asked for tonight and also the 7 mils, the 2.1 will generate \$300,000.00 and the actual mils will project almost 1.1, which both of them together will generate \$1.4 million.

Mr. Sanders – I understand, but you're just storing numbers, you could use those same for the expenses and that doesn't seem to happen. I guess I was here on Monday and my big question was, when the Mayor came up and said we need 5 mils, to me when he came and said he need 5 mils that should have been what it was. There should have been no 8, 6, 7, 7.5, 7.1. It was kind of a heh, let's just settle and get out of here. To me as a tax payer I would have paid whatever you ask me to pay, but the way you guys went around it I'm not going to vote for any mils, and that's just, you know, and I think that this is the same thing. If you guys can come together with a budget where revenues meet expenses that make sense, but if you guys sit up here tonight and ask for the tax payers to take 7 mils or to pay .1 increase in revenue without knowing what our expenses are, I think it's irresponsible and I think it's logically incorrect and I think that people should know that. So, does that make sense that you can't take historic numbers and tell me that you know that we spend \$10 million when in reality we might spend \$12 million next year or we spent expenses \$6 million but this year we trying nail it down to \$4 million. I hate to create more work for you guys but you guys have known about this for months and it's January the 6th. This budget should have been passed December 31st. You're whole budget this afternoon and back comments to the 12 months, I'm glad you guys did that cause it puts pressure on you guys to actually get something done before month end. Does that make sense to you, or does that logic work?

Mr. Stegman – Yes, yes, I would like to respond. The Mayor is actually the one that does the operations of the City. He needs to tell us exactly how many dollars he needs to operate. I think me, Barb and Greg agreed o that 5mils at that time because he is the one that has to operate the City and what he sees is what operates the City. That is what we have to base our budget on.

Mr. Sanders – So why did you come up with 7 mils?

Mr. Stegman- I didn't want to come up with it. I did not want to come off the 5. I don't think us three at this end wanted to and then numbers of 11 and 8 and 9 and we do have to put something on for millage to get us out of the hole. 5 mils would definitely have given us \$600,000.00 plus the three would have given us a million dollars, but we would still be a million dollars of what we've been spending over the years. This is a new Mayor and he needs to tell us exactly what he needs.

Mr. Sanders – Right, but if you're going to use business logic sense you can't say, Hey, lets just pass something because we need to move forward and get out of the debts that we are in and assume that tax payers are going to step up and vote for it. If the Mayor came to you for 5 mils and you agreed with that, at no point in that conversation should you have surfaced of off that 5 mils at all. You should have stuck hard to that 5 mils and that should have been it. I was very disappointed on Monday night when I saw you guys go 8 and then we need 11 and no we need 8 we need 7.

Realistically you know what the voters are going to bring, he studied that when he brought you 5 mils because historically 4.5, 4.7 has always passed or has passed in many counties close to here. I would be willing to pass 7 mils until tonight, because I think this is similar to you, you not going to go on something you think is not correct. I am not going to vote for the 7 mils and I hate to do that to the City, I love the City, I moved to the City just recently with my family and I have big plans to stay in this City and I would like to be someone to help out. I can't sit up here and say I should vote, yes, or you shouldn't even vote at all for it. Ordinance No. 2, or Resolution No. 1.

Mrs. Brickweg – Actually Gabe I was going to read something with the Ordinance. I'm going to go opposite of you. The one reason I was suggesting different millage than the 5, because I wanted someone to prove to me how the 5 was going to work and nobody could do that. I asked over and over, what does the 5 do to help us make the budget work and I am hearing is, well, I think we can pass 5 mils. I have a problem with that and I will read this now, just to get it over with but this is what I have been think and this is what I wrote: I will be voting no on Resolution No. 1. I have been running numbers over and over for the last few months and I do not see how 7 mils will get St. Bernard out of this financial crisis. When the discussion of millage comes up the Administration and some of Council insists that the citizens will not vote for more than seven mils. Seven mils will not correct our budget situation. Why are some of our city leaders afraid to ask the citizens what they want? Why can't they come up with the number that will correct the situation, continue to work on cuts and put the best number of mils on the ballot? When businesses or individuals go to the bank for a loan, they ask for what they need, not what they think the bank will automatically approve. If the citizens vote it down then drastic cuts are made and the state will probably take over. Here is an example – If we put 12 mils on the ballot the home owner of a \$100,000.00 home would pay \$300.00 more in taxes a year. In case you are wondering how I came up with that – for every mil it will cost the owner of a \$100,000.00 home \$25.00 a mil.

I reviewed the tax millage for the City of St. Bernard and was shocked to see that the City itself only receives 10 mils (which includes the 2 we just put back on) to run the City services. Hamilton County receives 21.51 mils and the St. Bernard school district receives 44.24 mils, Great Oaks JVSD receives 2.70 mils. I was contacted by a citizen this week in my Ward who visited the Ohio Department of Education web site. I have made copies of the budget and what the money will be used for if anyone would like a copy. I am not saying the schools do not need money, but I am saying we need our City to survive and we need to concentrate on that right now. This citizen learned on the website that they will be having a tax levy on the ballot in 2006 for 8.5 mils. This budget was put in place in 2002.

I personally would pay more in taxes to keep the levels of service we have in St. Bernard. I am not saying we should spend foolishly (like was done in the past), but I want to be safe, I want to have a clean city, I want a nice community to raise my family in. I do not mind spending the extra money to make sure we have more than two police officers on the street. The Administration feels two police officers on the street would be fine, after

riding with them I absolutely do not agree. I also want more than a couple paramedics on duty at a time and I would like firefighters to be able to go into a burning building to rescue people. While watching the news last night I did hear the Mayor say the fire and police departments need to make their required cuts. The cuts they could not make were additional cuts after they had just spent the last 8 months cutting their budgets. The three departments are close to bare bones and I feel this statement was a little misleading to the public.

Another reason I am willing to pay more in taxes is because my home is my biggest financial investment and I am very concerned about property values in St. Bernard. I love living in St. Bernard and I want to live here the rest of my life and I am not even a native of St. Bernard. I would imagine you are extremely upset over what is happening to your home town if you were born and raised here. I know many people around me express these feelings. I also worry about the large number of homes for sale, the last I counted there were over 62 homes for sale. When I met my husband you never even saw a for sale sign in anyone's yard, everyone wanted to live here and that was only nine years ago. Do we wonder how many more would go up for sale if we loose our services.

My final reason for not voting for seven mils is because I think it is just a band-aid on a sore. We could try to get by; cutting services and charging people more for the services we keep. But where is the investment in our City. We think Vine St. looks bad now, just wait till we cannot even afford to upkeep that. We MUST work on a long term budget and plan. We need to continue make cuts of unnecessary things, and start saving money. We need to have a budget that pays off the pool and pays off Nu Maid. We need to stop trying to get by year to year and have a long term budget where we can see the light at the end of the tunnel.

I truly believe we can make it work. I have heard many people in the last few months say, "Why would citizens want to just give more money to the people that put us in this situation?" "Why should we trust you?" My answer to that is we must learn from what went wrong. Listen and watch, ask questions of the people you elected – hold them accountable. We work for you and we answer to you. I am sure it will be very difficult to trust the people in this town that have let you down. I personally promise you that I will listen to the citizens and try my hardest to make this work. One more suggestion, I think we should show the citizens we want to be held accountable by mailing out the minutes to the people that do not have access to the internet or cable television. These people feel in the dark and if they are willing to pay more taxes then part of that money MUST be spent to keep them in the communication loop and to keep the elected officials being held accountable.

Mr. Sanders- So then if I put you on the spot, since you read all that, and made that commitment, how many mils do you want?

Mrs. Brickweg – Twelve.

Mr. Sanders – OK now, lets use the logic on that. If we put, lets relate it to my business and I'm a banker, if I decide that I want everyone in St. Bernard

to open an account with me and do their loan with me. That would be the perfect world for me. That we make my budget, I could hire as many people as I needed to, I could spend as money as I want. Realistically, that is not going to happen. That is what you are saying. You are saying, I want 12 mils because I want everything to be perfect and I want to make not cuts, I want to make sure that nothing bad happens. No one in this room, I would hope would vote for 12 mils or 11 mils or 10 mils or anywhere near that. I don't think many people in this community could afford that, to be honest with you. I think that the industry we have across the tracks, P&G, St. Bernard Soap Company, if they don't move out, they definitely will not develop or build anything new in this town. They can go to Malaysia, manufacturing is not an American thing anymore. People do not work for \$10.00 an hour. OK so they will take that out, you will see no new development over there. That last research center you saw built, we be the last research center built, so that to me doesn't make sense to use that logic to say I want 12 mils, because you know it's not going to pass, you know it doesn't correct the situation we're in, we're in a situation where our expenses exceed our revenues, that's not going to change because you put more mils on. Revenues continue to decrease because the business we have continue to be sold off, they continue to downsize, they continue to lower their income on the people that work there. I work for a business that does that every day, so this City is not exempt from that. When you take that logic it does not work. What you should do is say, you know what with everything put together, what we can do and what the citizens will vote on 5mils, 6mils, whatever it was, you should have come to it prior to today or last Monday, and had a number that you all agreed on. You can go to as many executive Council things as you want, I don't care about Sunshine rules, if you guys could have come back and said we need 5 mils, that would have been the amount of revenue we need because this is the exact amount of expenses we have. You can't make a budget, you can't realistically vote on this tonight because you don't know what your expenses are. If you make no cuts 7 mils will not help you. Do you understand how that logic doesn't work?

Mrs. Brickweg – Yes, and that is the one reason I wasn't voting on 5 mils. You're right, it's not going to work.

Mr. Sanders – Do you understand how 12 or 11 or 10 mils doesn't work?

Mrs. Brickweg – I'm saying, put it on the ballot and let the people vote. They vote no, then the state comes in, and the state will tell us how to run this City. We are not giving the citizens a chance.

Mr. Sanders – If the State comes in, everyone keeps saying let's bring the State in, realistically, the State comes in, that's worst case scenario, OK, and that would be great to say, the State offers this great auditing service or I can go to the local bank and they will balance my account for me, tell me how to write a budget, there is an expense to that and that is not what you want to do. I think everybody here is responsible enough to know that they can create their own budgets for their family and you guys, the elected officials, chosen by the people, should be responsible enough to create a budget for the City. Bringing in the State to me is not a great thing. I think if you bring in the State you lose every service that they offer, those special perks, that's

a non-necessity, you might keep some jobs, but you will lose every little thing that makes people want to live in St. Bernard. It seems to me that I'm an outsider, that's a big draw to people here. When I sit here every Thursday night at the Council Meeting or every time they have a special meeting I come, and the thing is and you mention, I'll sell my home if you leave, where are you going to move to that offers the same services that we have here? You are not going to find that, so I'm getting off on a tangent here, so just to let you guys know, and I have to go, I cannot imagine that you guys can realistically vote on these two Ordinances tonight or rather the Ordinance and the Resolution. And if you do I think that you've done the citizens a very big disservice.

Mrs. Brickweg – Gabe, I think that's part of the thing, if we do not pass millage, we're not going to have the services anyway. If we do not pass mils

Mr. Sanders – Right! So why ask for something when you don't even know what you need. If you pass 7 and you need 5, what service have you done me?

Mrs. Brickweg – Five is not going to cut it, seven is not going to cut it.

Mr. Sanders – What are the expense totals going to be? How do you know that?

Mrs. Brickweg – I know the expense totals by the Auditor and I'm getting the revenues by the Auditor.

Mr. Sanders – Why can't that be disclosed tonight and let us all know what the expenses are going to be and what cuts are going to be made?

Mr. Walden – Gabe, we do have a five minute limit.

Mr. Sanders – OK.

Mrs. Brickweg – Gabe, I will get them for you tomorrow.

Amy Doddy, 220 McClelland – I actually have some comments directly to Gabe. As I recall, in November, Mayor Estep, said we need 14 mils.....

Mr. Walden – You need to address Council, please.

Amy Doddy – I'm sorry, I lost track, actually, I have heard rumors also that we're still going, the City is still going to buy the garbage bags and then provide them at a cost to the citizens. My question is, what if the citizens are going to the grocery store and buying, for example, the bags, and it's still a cost to the City that you're not incurring, you're not getting any income from selling them to the City, for example, that's another thing that I would like, personally. It's up to \$18,000.00 that we're paying for the garbage bags. I thought that was the number we heard in November.

Mrs. Brickweg – Well it's \$18,000.00 for a half year supply. Correct?

Mr. Kempe - \$18,000.00 is what's being appropriated. We don't know what it's going to cost yet. We haven't gone out for bids yet.

Amy Doddy – No, I thought that is what it did cost us before.

Mr. Kempe – No, the last batch that was bought was 5,000 cases, which is like a years supply, we pass them out twice a year, I think the bill ran about \$28,000.00.

Amy Doddy – OK I actually want to comment on both of the Ordinances. Primarily the first Ordinance, though. I know that there have been some comments about changing their minds over the last week and a lot of people didn't want to vote for John Kerry because they said he was wishy washy, but I actually feel like I have to commend Barb Kalb and Greg Zix and Peggy Brickweg for changing their minds because to me that says that you're thinking about it. If you were blindsided and convinced into voting for something last week and then you just blindly walked into this meeting without thinking about it, that doesn't say much to me, it says to me that they were thinking about it, it says to me they were listening to the citizens and that's what we vote for you for so you would listen to us and that's hopefully what you are still doing.

Steve Brannen, 35 Phillips Ave. – The problem is when you have the millage that they don't pass it, the citizens are going to pay one way or the other. You can pay, by passing a levy and keeping the services, or you can do what I did the other day, I slid 30ft. and ran into curb and it cost me \$479.00 to get my car fixed. And I was only going 25mph. and I'm a pretty darn good driver. The problem is you need to pass the millage, citizens, you're going to pay, you can pay and keep the services, or you're going to have to pay for people to come to your house and do whatever. Wake up and smell the roses. You're going to pay one way or the other. I'd say you better keep the services because it's the last thing we got in this town. When I grew up we didn't even have locks on my house, when I grew up as a kid. I got a security alarm system now. You all better wake up. The town is going down. The last thing we got is services. We lose them, there's nothing to live in St. Bernard for. And I am a lifelong resident.

Mr. Walden – Council we have had the suspension of the second and third readings of Ordinance 2, 2005 as amended. What is your pleasure an adoption?

Motion by Mr. Burkhardt, seconded by Mrs. Kalb to adopt Ordinance 2, 2005 as amended. Motion passed. 7-0.

RESOLUTION 1, 2005 RESOLUTION AUTHORIZING AN INCREASE ON THE CURRENT REAL PROPERTY TAX RATE FOR REAL PROPERTY LOCATED WITHIN THE CITY OF ST. BERNARD WITH A SEVEN MIL TAX LEVY INCREASE CERTIFYING SAID RESOLUTION TO THE HAMILTON COUNTY AUDITOR AND DECLARING AN EMERGENCY

Motion by Mrs. Kalb, seconded by Mr. Burkhardt to suspend with the rules and give Resolution No. 1, 2005 its second and third reading.

REMARKS

Mrs. Kalb – I am supporting the 7 mil levy this evening. While it is higher than the millage I originally supported, it is the lowest amount that City Council would approve last week. There has to be a levy on the ballot in May. Originally, I supported the Mayor’s suggestion of 5 mils because I thought it was more realistic. I still do, but a 5 mil levy did not get the necessary support from other members of Council. The majority of the comments that I have been getting from residents have indicated that they would be willing to support a modest increase, but they needed to see some real changes in the way the city was run.

We need to be aware of the costs to the residents and we need to be mindful of asking for a levy that has a chance of passing. I think that we need to learn from Norwood who asked for 14 mils last year and it was soundly defeated. Last year, City Council voted to rescind a 2 mil rollback of property taxes that occurred in the early ‘90’s. We also voted to assess property owners for some cost allocations from the Hamilton County Storm Water District. If this levy passes, residents’ property tax bills will increase 9+ mils in a two-year period. That’s almost \$1,500,000.00 in increased property taxes.

Once this Ordinance passes tonight, a committee of city officials and private citizens should be formed to educate the residents about the need for this levy. We have to work hard to make sure that this city survives with a majority of the services that make our city unique. This levy will go a long way to ensure that.

Motion on suspension passed 7-0.

Motion by Mr. Stegman, seconded by Mrs. Kalb to adopt Resolution No. 1, 2005 as read. Motion passed 6-1. Mrs. Brickweg voting no.

RESOLUTION 2, 2005 RESOLUTION SPECIFYING THE DATE OF ELECTION ON THE TAX ON INCOME AT A RATE IN EXCESS OF 1% AND DIRECTING THE BOARD OF ELECTIONS TO CONDUCT THE ELECTION.

Motion by Mr. Stegman, seconded by Mrs. Kalb to suspend with the second and third readings of Resolution No. 2, 2005. Motion passed 7-0.

Motion by Mr. Stegman, seconded by Mr. Burkhardt to adopt Resolution No. 2, 2005 as read. Motion passed 7-0.

OLD BUSINESS

Mrs. Kalb - I contacted ICRC. In the future they are going to start giving the City of St. Bernard two copies of the tapes of these Council Meetings. Has anyone ever contacted the Library, are the old tapes in the Library, yet? They are still downstairs. When we start getting two of them, we need to talk to the Library and make arrangements for citizens to be able to check them out to view the tapes of those meetings.

I also have some more comments.

It appears that my comments at the Finance Committee meeting on Monday night were not as clear as I would have liked them to be so I will try to explain my position again.

The City has authorized a 7 mil levy to be put on the ballot in May along with a proposed increase in the income tax of .1%. If those two levies pass, they will generate a little over \$1,400,000 in additional revenue. That means that in the 2006, if all other revenue remains the same, the City's revenues should be just over \$10,000,000. However, before Council made the decision about the millage, they had proposed a 2005 budget of \$9,600,000. That's \$400,000 less than we are asking the public to approve.

My proposal Monday night was for Council to fund a \$10,000,000 budget for this year, not \$9,600,000. I proposed that the City make cuts to the \$10,000,000 level, not below it because if the levies pass, it would not make sense to possibly turn around and rehire employees or reinstate services that we had to layoff or cut. In fact, I suggested that City Council did not have to contribute the full \$400,000. At a minimum, there just had to be enough to make it to the May elections. We would only have to fund the additional money if the levies pass. If the levies fail, we would have to make additional cuts down to \$9.6 million or even lower until we pass another levy.

I was told that some people thought that I was advocating delaying layoffs and cuts until after the May elections and I don't think that was what I said. However, I was speaking without prepared notes and maybe my comments were not as clear as I wanted them to be. The point that I thought I made was that we should only make cuts to a \$10,000,000 budget level, not the \$9,600,000. It was never my intention to further delay cuts until after the May elections because even if the levies pass, we still need to make \$1,000,000 in cuts and the sooner we make those cuts, the better.

NEW BUSINESS

None

AUDIENCE

Phyllis Roeckers, 5113 Imwalle – My question is to the Mayor. John, if the lawyers say that the City can be sued if you let the Police and Firemen go, what will you do then?

Mr. Estep – One of the first things we have to do Ms. Roeckers is prove you either don't have the work or you don't have the money. We're in the process of finding one of those two out. I know we have the work, but the money is a little bit different matter and I don't know enough about it right now to comment because it's borrowed money, there is money encumbered, I hope it doesn't get to that point.

Ricky Paul, President of Norwood Firefighters Local 445, Norwood, Ohio, 2320 Lytle Lane, Norwood, Ohio – I have some comments on the cuts, on

the fire side. If this is truly a Financial issue, just to read what the gentleman said that the worst thing you want is the State to come in, you lose your services, that's not true. Everybody in this room knows of the financial situation of the City of Norwood, it's been in every newspaper, it's been on every television. We have not lost any services, we have lost no firefighters. If you can't meet your budget, then you need to call the State Auditor in here and let him review your books and find out exactly where you fall. Do you fall in none of the categories and you just need to reprioritize or is rumor going around, we just merely have too many firemen? How many is too many? What is your life worth? I worked with the City of Norwood, I responded over here several times. My shift did respond to the Vine St. fire, I personally did not, I was off. You had four off duty personnel people there. If they were on duty, you wouldn't have needed mutual aid. Mutual aid is not automatic response. Mutual aid is when you exhaust all your means and it's an extraordinary thing, the fire is 3 o'clock in the morning. That's mutual aid. Someone stated that they were dispatched, we were dispatched the exact same time, I find that very hard to believe. Norwood is not a mutual response it's not an automatic response, excuse me, to the City of St. Bernard, we are mutual aid, we come here to assist as you come to our City. The Monday before Christmas, if you all saw in the newspaper and on the news, we had four firefighters injured, one is still pretty bad, he's off, probably for at least a year. The services of St. Bernard were sent over there, you sent four members, you had three people, three firefighters that were protecting your City. If one of you would have had an MI, heart attack if you will, hopefully, one or all three of individuals here were paramedics. The people that you're talking about cutting from the bottom, they are paramedics. Those are the people that save your life. Do you want the unit that took 35 min. or 25 min. to respond on an EMS run? I don't think so. A year and a half ago there was a young individual that drowned in the pool. The grandparent went in to attempt rescue and also succumbed. City of St. Bernard was up on an MBA on 75. Their entire shift except for one person was left in this City to provide EMS fire protection and everything for everybody sitting in this room, except me because I don't live here. I would be furious. Norwood was dispatched, 2 EMS units and an engine co. Neither one of those two victims survived. You're cutting way below the national standards and way below the average. If you want to trust your health, your well being, your family, your children, and all the citizens of St. Bernard to somebody like Elmwood Place who may or may not come, they don't provide EMS. They're going to go to Wyoming so now you're going to have to wait for Wyoming. I see a gentlemen retired from the City of Cincinnati, we can't always be their mutual aid. I don't know how many runs they make here, we made over three thousand last year. We're not available every single time. We're mutual aid to come and help and we enjoy that and we do it for our brothers of the Local 450 and they do the same for us. When you guys look at these cuts you need to look seriously about what you have in the recreation, you know what, I agree with the gentleman, some of the services in St. Bernard, I remember when I was a young person, Norwood had two times a week carry out, carry out and returning of garbage cans. We no longer enjoy that. We just now started this month, \$10.40 I pay to Rumpke. When you start talking cuts of Police and Fire look around and see, hey how is my health, how is my children. Am I going to keep them in the house, am I going to take all their toys away so they can't choke on anything, my grandchildren, you guys are putting a

lot of people's lives in jeopardy, not just the welfare and well being of the firefighters here, but yourselves. And your out of town guests that come and visit you. Thank you very much.

Mrs. Kalb – I believe we forgot, either under old or new business to make a motion to go into executive session to discuss the fire contract, so I would like to do that right now.

Mr. Walden – Before we do that, is there anyone else wishing to address Council tonight?

Mrs. Brickweg – I would like to address Mr. Paul. First of all I would like to thank you for coming and explaining that, sometimes it's nice to have somebody, not from St. Bernard, explaining things because there is really nothing in it for you. I'll be the first one to say, my husband was on that run with that baby and that grandmother and he came home and he thanked God for Norwood. They didn't survive, but he said he was driving to, driving there realizing he was one person with two drowning victims, what am I going to do. I can say this, that is a liability. I would like to thank you for coming. That is the main reason I wanted 12 mils. I want the people to decide. If they vote this down, the State comes in and I do not see the State coming in as a bad thing. They are objective, they know what's important and I think they can make a much better decision than any of us including me. I am not qualified to make a decision on how many firemen, how many policemen we need to make this City safe. Maybe we need the State to come in.

Patti Howell, 4418 Tower Ave., - I was at the Monday night whatever you call that, sorry guys, it was a joke, to be in the audience, you didn't even know what was going on. There were many times where people felt that they needed an answer from a lawyer. We pay, sorry Mr. Geiser, we pay you to be there for us to answer questions. I personally feel that these meetings especially now that there is so much stuff that me and several people, and unfortunately Council and the Administration not being a lawyers, do not understand. We pay you a salary to be at the meetings and I personally think you should be there in order to maybe get things accomplished because there were at least two times where I can remember Monday night where, Phil, you wanted to go into executive session, I'm sorry, Mr. Stegman, you wanted to go into executive session and there was a controversy there. Well if we had a lawyer there they could give us an answer on the spot, instead of bickering back and forth. Not knowing what you're supposed to be doing. Eddie, like I said, we pay you I believe it's \$20,800.00 and some odd change a year and then we're appropriating, this year for this unrealistic budget \$40,000.00 for outside lawyers and there's a lot more over the past year or so we have spent on outside lawyers. If that is the case, I don't want to say if you can't handle the job, I think you can, I just don't think you are always there so that when our Council members and our Administration have questions to ask you, they have to say, I have to get back to you next week, continue because you're not there to answer the questions when we need you to be there, especially now because of all the budget stuff going on and the layoffs that you guys are talking about, the cuts that you guys are talking about. If we have a question about going into executive session and that's an issue, could you imagine if something bigger

came up and we had to continue it again? We're never going to get nothing done if all seven of you Council people, Administration, Eddie, Mr. Bollmer, Mr. St. Clair, if all of you people that were elected or appointed by this City and we as taxpayers are paying you salary. If you guys don't start working together, everyday to try to get things done and accomplished, we're never going to get out of this mess.

Mr. Geiser – I would like to respond to some of the comments made. First of all, this is a part-time job like anybody else here and I think the gentleman from Norwood could probably explain how many attorneys they have on staff. I think they have two full time attorneys and plus a part-time attorney. I'm one man, part-time. I put in full time hours on this job. The law says if I'm requested to be at a meeting, I'll be there. There are seven committee meetings going on all the time here, I was on the phone at length, with many of these city officials over the past couple of weeks. I lost all my research capabilities on line. I lost all of that because of budget cuts. I have no way to research on line like I used to. I have to do it the old fashioned way, I have to go to the library and run around to the books. I was asked specifically what the rules are for going into an executive session at a committee meeting. I researched that at length, provided Phil with all the answers, I provided him with all the information he needed. I copied down from the Ohio State at their open meeting law book, gave it to Phil, gave him all the answers. I can only give advice. My job is not to be the judge and jury at Council meetings or Committee meetings. All I can do is give advice. If the Council doesn't want to take the advice, so be it. I told him he could go into executive session and that's clearly the law. He is allowed to go into executive session and no one told me to come to the meeting, no one requested me to come to the meeting and I had something already planned that evening. If I had known to be here I would have been here but no one requested it, don't put the blame on me for the chaos that went on in the meeting. I prepared Mr. Stegman for what he asked, I gave him all the information he wanted. If Council doesn't agree with my information they can do what they want but I give them advice, if they don't take it, what can I do. I am not the judge and jury at these meetings

Mr. Stegman – I responded earlier, John had asked me at some point in time that we might have to go into executive session, if he decided to do employment or do a layoff or whatever, it would only be proper doing that in executive session not in an open forum for people to hear before the actual people. I did ask Mr. Geiser, he did give me, 16 pages, I had them there that night and I was being challenged by somebody else that was holding a book. To be honest, it didn't need to be that night because the Mayor was not making those decisions. I did call Mr. Geiser after going home and asked him if I was correct on doing it, that rules he said I had was only for Council meetings and said no that is actually for Council and Committee meetings. It's actual Council Committee and they have the same executive session rules that are in the Sunshine Law. It wasn't necessary otherwise I would have gone into executive session knowing that I talked to Mr. Geiser and felt comfortable with the rules I had. It wasn't necessary. I don't know that Eddie should be at every meeting. The chaos was because everybody was disgruntled, I opened the floor and let people talk, it wasn't very productive to do that but I think people need to vent their frustrations and let us know how they feel and let John and the Administration and the Finance know.

That is why I did that. That is why I said further on that we need to move on with the City and I'm going to try to not open the meeting, I also asked Mr. Geiser about that, it is a Committee meeting it's open to the public for them to hear, not always to speak. They can ask the Committee or the Committee Head to open up the floor if they wish, but they don't have to. I got all those clarifications, if John would ask me to go into executive session I would opt to give him that right because now Mr. Geiser, it is the second time it was given it to me. That's why I wanted to bring it up at COW for other people the actual ruling from Eddie Geiser.

Patti Howell, 4415 Tower Ave. – With all due respect Mr. Geiser, I am not blaming you but that night they had asked why you weren't there. What I'm saying is maybe they should invite you to more of these things and maybe more things would get done. As far as this being a part-time job for any one of you, I knew when I ran if I got elected that it would be a part-time job but it would require a lot of time and a lot of effort and a lot of know how. You can't use that excuse because you know that before you get involved. If it is something that we have a problem getting you at the meetings or whatever then maybe we ought to look at not have a city solicitor and just outsourcing things all the time, because we're paying to outsource any way. We could save ourselves \$20,000 plus and just outsource it. I'm not trying to attack you I really am not but this is what went on Monday night.

Mr. Geiser – I don't have ESP to know there is going to be a problem. Someone has to tell me to be there, I'll be there. I come to a lot of the meetings, I've been to a lot of the budget meetings I can make. Again, I am not going to come and be the judge and jury. I'll give you advice and I'll tell you what the law is and you can do what you want. It's almost as if I'm being blamed for the chaos that went on at the meeting. I wasn't even there. If I was asked to be there I would have been there. It's as simple as that.

Mr. Stegman – One of Patti's comments there towards the latter part of it. I don't know if you ever had to call a lawyer in but to outsource what Eddie does for what we pay him for the whole year, just for having somebody like him at a Council meeting or even at the COW you would be paying well over \$20,000. for his services. He does a lot of things like writing up the Ordinances and he does do a lot of things for the City and we wouldn't be able to outsource for anything close to what he's being paid.

Butch Bauer, 150 Delmar Ave., Rodney Chatman, 4265 Redwood Ter. , FOP St. Bernard Police Dept., in support of the St. Bernard Fire Dept. and Service Dept., Joe Lengerich, 62 East Ross Ave., service dept. employee, here to support police, fire and service – We stand here tonight united as representatives of the three departments that provide the services that make St. Bernard the great community that it is. We chose to unite because of the common belief that several members of this Administration have a personal agenda! You sit there and consider cutting personnel in our departments without any consideration or concern for how it will affect the great services our citizens expect. You sit there and tell us you wish you did not have to make these cuts. You sit there and tell everyone that will listen, you have no other option. You sit there and tell all who will listen that we are not cooperating, or helping, to solve the problem. Therefore we are here tonight to tell you that you do not have to make these cuts. You do have other

options. We have cooperated and offered many different ways to cut costs and save the money you need. Most of these offered over the past several months were neither acted on or responded to. These range from working Mayor's Court for comp time only, bringing work that is currently subbed out, like changing truck tires, back into the service dept. garage to foregoing pay raises with the promise that we will start the day with the necessary number of personnel to get our jobs done efficiently, effectively and safely. While these items individually sound trivial, when all are added together and combined with the proposed 7 mil tax levy, the .1% earnings tax increase, the mandatory filing requirement, they all add up to a sum that will enable citizens to continue to enjoy the great services that our city provides. Now I know you are going to say many of these won't be available until 2006, but many could have been implemented months ago. Several will generate revenue as soon as they are implemented and there are some such as reports from several of our larger industries who plan to increase employee numbers one by as much as 20 people and improving economy that have not yet been factored into these numbers. We are telling you to implement as many of these as possible before you go to the extreme of laying people off and destroying our community. If your goal was to divide the departments to help you obtain your personal agenda of reducing city personnel you are failing. If your intention was to unite the departments, you have succeeded.

Joe Lengerich, 62 East Ross – I just thought I'd make a few comments. We do stand united tonight, in the past I've made some disparaging comments about the other two departments which, at times, probable wasn't nice, probable wasn't good but now I realize this City is everything that it offers. We need all police, all fire and all service. I would just like to remind the residents, on behalf of the service dept. that we have made drastic cuts. A man was released earlier this year, Mr. Wallenhorst' position was not replaced, four men will retire by April and not be replaced. That's almost \$300,000 in just salary, so I understand you were upset about the snow, we did our best, but I think we did as good as most of the surrounding communities too. I would just like to ask for your support, I love working for this city I think we provide the best services possible, please consider that and vote for whatever you feel you need to vote for.

Rodney Chatman, 4265 Redwood Ter. – The many things that I have heard tonight that went on that was disappointing, the one thing that brought us all here is that we were under the impression that we were going to hear about these layoffs tonight. One of my many functions in law enforcement is, I happen to be the top hostage negotiator for Hamilton County Police Assoc. SWAT Team. I'm very familiar with hostage situations. The gentlemen that are on the bubble, their families, their spouses, their children, and their loved ones have been held hostage since these talks have begun many months ago. It has gone on far, far, too long. I am under the impression, however, that we came here tonight and that there were going to be layoffs that we would be hearing about. What I also heard was that the only reason that they didn't take place was that there was some details that weren't taken care of. When was that going to happen. When were those detail going to be taken care of. I think the citizens of this community deserve to have that homework done. We don't deserve to stay here to 11:00 at night hearing the debates about it. We should have come here and it should have been laid out

and it should have been done with all the scrutiny and the tees crossed and all of that stuff that went into taking these police chief's and fire chief's cars.

Mrs. Brickweg – This isn't going to sound like much, but if we got anything good out of that, it's seeing the three depts. work together.

Tom Fehr – 3783 Donata Dr. , Colerain Township – I am the representative for the Fraternal Order of Police, Ohio Labor Council. I represent the police officers in contract negotiations. What I want to do is clear up some false information that has been floating around the City in the last couple of weeks anyhow. Myself, my committee, had meeting with Mayor Estep and Beth Luken on August 3rd of last year. We had another meeting on August 26th of last year, specifically to discuss concessions the police dept. were willing to give in order to help the City through this. We got no response from that whatsoever. I then drafted a letter on Nov. 4th to all the Council members, and if you didn't get it I got more copies here for you. That letter specifically told you we're willing to discuss concessions, waiting for the phone call, phone never came. The problem that I hear here this evening is, looks like two political parties that want to keep bouncing a ball back and forth to each other and saying I don't know what the figures are, the Mayor don't know what the figures are, nobody knows what the figures are. If you want us to come to the table and talk concessions, we need to know what the figures are cause we're not just going to give you a concession and then have you two months later tell us, hey we need some more or we're going to lay your people off. That is just not going to happen.

The Mayor is right about one thing, there are some contractual issues when you start talking about layoffs. There is a cost associated with layoffs, cause I will guarantee you that this is not a threat, this is a God given promise, any police officer gets laid off, we're going to arbitrate that issue, you've got the money, you can pay it, you don't have to lay anybody off, we will be able to show an arbitrator that you do have the money and you're going to bring those guys back.

John Schutte, 4256 Redwood Ter., - I am a fireman. I would also like to dispute the information that was on the news last night on Channel 12 and in the newspaper. The quotes of the Mayor saying that the Police and Fire Dept. are not working with the City to make cuts. I can speak for the Fire Dept. We have made cuts since the day he came down to the Fire Dept. and asked us to make cuts. Our Chief has been working every month making cuts, hoping it would help the City. We personally, from the payroll have reduced our payroll by \$200,000 from 2003 to 2004. In the last year, what you've paid out of the payroll for the Fire Dept. down over \$200,000. I would just like to let Council and the Citizens know, our dept. is making cuts. We're trying to work with this Administration so that layoffs are not necessary. We are continuing to work in the contract coming up, to give back things to this City so that no cuts are made to the Fire service you receive.

Mr. Estep – If I could just go back to Mr. Fehr's comments, and we did meet, and they did give some concessions with Mayor's Court. We didn't follow with another meeting and it was a discussion about residency and we just talked a little bit about that with Council and I don't think that was an issue that we were willing to negotiate at the time. I talked to him on the

phone a couple of weeks ago, we talked about more concessions and the draw back was they wanted a guarantee of no layoffs. I stated as I have at other meetings I don't the City is in the shape to give a guarantee of no layoffs to the Police, Fire or Service. With Mr. Schutte comments, they have worked with us and we did go down there and they have made some concessions. The comments made were misconstrued as me saying, they didn't work with us. I think I said, the number we gave, and we did give each dept. a number. We gave them a dollar figure to police, a dollar figure to the service and a dollar figure fire. Those numbers didn't come to fruition. I didn't say that they didn't cooperate, they did give some concessions, a comment was made the other night they made less money this year. That wasn't because they had their hourly rate reduced, it was because the overtime was reduced. That is another sign that they did work with us. I wish we had the numbers tonight to lay on the table, there is no goal of mine to work with one group or pit one against the other or have any layoffs. Again, as he just stated there, if we do something, not knowing that it is legally correct, we're going to have more litigation and that's why I couldn't make a comment tonight. I think we're taking a safer route and if we go in front of the guy from the State and he declared we do have money, I guess we just throw it out and keep on going.

Mrs. Brickweg – The one thing I do want to comment on, I have been sitting in on the Finance Committee meetings and I have seen the three depts. always giving ideas and cutting their budget. They are cut to the bare bones, so it was kind of difficult after they cut, and cut. and cut and then to turn around and go, Oh, by the way, we want \$300,000 or 400,000 more. There was nowhere to get that from. I've looked at the budget, I guess if we don't want to have ambulance supplies or we don't want to give our policemen guns or whatever, but they are down to the bare bones in all three depts.. so it was very difficult for them. I did ask Chief Scherpenberg, I said out of the money you asked the Fire Dept. out of curiosity, what does that mean? He said in all three depts.. it would mean between a 16,000 20,000 dollar a year cut in pay. These guys, they have a contract, I compared it, all three depts.. to different areas around us. They're not \$20,000. over paid, they were nowhere near that. They're paid the average rate and sometimes they might be a little bit higher, and sometimes they're a lot lower. But that is the reason they couldn't make the cuts. I watch the news and I realize when you get on the news they can cut and paste or whatever, sometimes it doesn't come out exactly the way you wanted it to sound, but I was disappointed also when I saw, it sounded like the three depts. well it only mentioned the two, actually, were not making cuts. They did make cuts on what they could make cuts on.

Joan Conner, 4228 Dartmouth Dr., - I'm just speaking as a resident that has been to these meetings and heard what has been said back and forth and what I heard at the meeting was the residents making it loud and clear that they did not want any cuts in their service, police and fire. They were willing to pay whatever they have to pay to keep from have those layoffs and that they are willing to pay for their garbage bags;, they are willing to do whatever it takes to pay for their services, to keep from having these layoffs. I personally, speaking just for myself, will pay whatever millage you put on the ballot, as long as I get that guarantee that there is no layoffs. I will vote no if you have the layoffs.

John Schutte – 4256 Redwood – I'd also like to remind Council that when you start layoffs, you're starting down that slippery slope, you pick a dept. and say we're going to lay three men off from this dept. , you have the other guys that are still there saying, You know what, this doesn't look so good, I'm going to bail. Then all of a sudden you have four, five, six guys leaving, seven, who knows how many? Then it's just a downward slope and then, you have either pay to hire more people and get them trained up to speed or you leave that dept. short so just remember, slippery slope.

Eric Scherpenberg, 142 Church St. – Less than three years ago, I stood up here on one of the happiest days of my life and became a St. Bernard Fire Fighter. It was very disheartening last night when I found out on the news that I was probably going to lose my job. At the end the Mayor smirked. To go back to the question I asked you Monday night, John, and you never answered me this, prior to being elected there was some talk, that a member that was running for Council on your party was making comments, that if elected, your Administration would start laying off Police and Firemen. And to address this issue, you came down to the fire dept. and you looked all of us in the eye, and there are eight guys behind me that will confirm this, and you said. I will not lay off a single fire fighter. You made that promise, you looked at us and you told us that. Now, here we are a year later and you're going to be laying off firefighters. You wonder why people are not taking you at your word. I can deal with all you're other campaign promises, a library that didn't come, a City manager we didn't get, but, you looked at all of us and you looked us straight in the eye and you said you will not lay off police and fireman.

Mr. Estep – You said that the other night, I still don't remember as part of my campaign saying as part of my platform to not layoff people.

Mr. Scherpenberg – Any guys here from my unit, do you remember that? Him saying that?

Mr. Estep – Well if I said it and I meant it's not my goal, I'll do anything I can to not layoff, I still stick to that. My goal is not to layoff, Eric.

Mr. Scherpenberg – If you ask the lowest guys in all those depts., I don't think we believe that. I think we the same reason why our Chief's cars are gone, I do believe there's an agenda there, John.

Mr. Estep – I should have asked you before, where there is just no agenda. I am trying to save, if I can find \$60,000.00 by taking a car and giving a fee to the recreation center to save a job that's what we're trying to do. Finding \$2 million walking in on this position, facing a \$2 million deficit is difficult. It's something we've never done before.

Mr. Scherpenberg –With all due respect Mayor, the employees of the City have offered up numerous, numerous examples of how we can bring in money. The Fire Dept., for example offered up contracting EMS bringing something over \$200,000 for the City. No interest, no one ever came back with us on that idea. There are so many ideas, I can't even name them all, that our employees have brought up to save the City money or earn the City money and we've got no response.

Mr. Estep – That’s one that I heard of, I had nothing in writing, no proposal to me. I’m somewhat against having our services out in Elmwood when we have citizens here to protect. I kept hearing, protect our citizens.

Mr. Scherpenberg – I think it equates to one run a day and would bring in \$200,000. and is income not important to this city?

Mr. Estep – Yes, It’s important, Eric, but I haven’t seen where that’s going to generate \$200,000. in income to make runs. I don’t know what you’re talking about.

Mr. Scherpenberg – I don’t believe the chiefs and EMS runs and money made by contractual issues. We could very well lose this to Wyoming. Wyoming is making the runs for them. That’s money that could be coming into this City.

Mr. Estep – That would be good if we could do it, I guess, but I haven’t seen.

Mr. Scherpenberg – We’re already making runs anyway, doing it for free. We might as well make some money.

Mr. Estep – I thought that was mutual aid.

Mr. Scherpenberg – I know we do make money for the EMS billing and to address the members of Council, You guys, you want us to trust you to fix the problem but you can’t fix the problem if you don’t admit you have one, I mean we talked about this budget situation, how the deficit we’re in. We talked about it like it just miraculously happened. Not a single person up there has ever said the word, I’m sorry, I’m at fault, hold me accountable. Not a single person, one of you guys, ever looked at us or said hey I’m sorry. That would mean so much to me and the other guys being laid off if you just looked at us and said I’m sorry, we messed up, we overspent. No one up there has done that to this day. Has looked at us, and I can’t blame Councilman Brickweg because she wasn’t up there at that time. It would mean so much to me and I think the other guys if you guys just looked at us and said hey we messed up, we’re sorry.

Peggy Deutch, Imwalle Ave. – I just want to say, John, that your answers so often disappoint me and I really, really, really don’t want them to. When you answer I’m hearing, well I didn’t understand that this or I don’t see how this, well that’s why you ask questions, what’s keeping you from asking questions. When you say that proposal was never given to me in writing. Well was anybody told to put that in writing and you would seriously consider only proposals that you get in writing. Your answers are really disappointing me. I want you to really consider other options and when you give answers like that I’m thinking you’re not seriously considering any other options.

Steve Brannen, 35 Phillips Ave. – I was there John, you did say you weren’t going to lay off police and firemen, maybe it’s out of your control, I don’t know. But like when Ricky Paul here from Norwood was up here speaking

they paid \$10. 94 a month that comes to about \$130 bucks a year, like I said you're going to pay for the services whether you know it or not, through taxes or having somebody that you don't know coming to your town and do the job for you. I'd rather have my neighbors, someone who cares about this town and loves this town and loves their neighbors. You don't have people from outside coming in and doing our services for us. You're not going to be treated like you want to be treated from other people, from people who don't know you. These people know you. You're going to pay, I'm telling you, you're going to pay, you want to pay to keep the people here? You going to have other people come in our town do our work for us? That's sad, that's sad, the town is going to go to (expletive deleted). That's all there is to it. It's already gone down. I got to buy a security system. I don't let my boy walk home at night anymore, he's six foot two, he's a big boy. The town is going down, we got to put an end to it, you lose these services this town is completely lost and you people up there are going to vote to lay people off, you ain't never going to bring it back.

Mary Granger, 4810 Chalet Dr., Apt. 2 – Mayor, I did watch you on the news and it seems tonight you have nothing to say, but you had a lot to say last night. You said the two departments brought nothing to the table and that all the rest about the snow removal last week, now that snow is melted, our fire, our protectors, our health are still there.

Butch Bauer, 150 Delmar – I'd like to say the three departments were requested to cut a dollar amount out of their budget. The dollar amount that the Fire Dept. was requested to cut out of our budget was so unrealistic, it was such a big percentage of the budget we operated on. It's not that we don't realize, any of us, that this is such a big problem this City is facing, it is an issue, we realize it, we're not saying it doesn't exist, we understand. Bottom line, it took twelve years to get to where we're at today, you're not going to correct it in twelve hours. We're already been here six of them. It's going to take longer than that. To expect this to just be solved with one stroke of a pen, with one passing of a budget, it's not going to happen. If you think it is, I don't know where you're living at. But you're not living in the great community of St. Bernard, you're out there, because we all know how to take care of our budgets. We all have a household, we all have check book that we balance, we know how it goes in and how it comes out. Look at it, it can't be done overnight. It absolutely can't and not maintain what it is we have here.

Mr. Wilson – I'll keep it short, I know it's late. Eric Scherpenberg, I'd like to apologize, I sit on Council, I'm going into third year here. I was kind of blind sided by this, I have no excuses, I'm trying to deal with this the best I can and Steve Brannen, anything I can do to keep anybody from layoff, I will do everything in my power.

Eric Scherpenberg, 142 Church St. – I just want to thank you, Glenn, that was refreshing. Question to the Administration, when are we going to know because I got a mortgage payment I'm not going to be able to pay without my job, I have to get my house ready to sell, I'm paying a babysitter, I've been paying her every night to come here to these meetings, I'm spending money that way to find out what's going on with my job. I would like a time frame.

Mr. Estep – Eric, as soon as the lawyer contacts us what we should do or shouldn't do or if he says that we have the money, and Council wants to give that money up and not have one lay off, that would be a happier day for me also. I'm waiting on the call myself. You heard earlier from Mr. Fehr, if there is any reduction, any call, there is going to be litigation right off the bat. I don't want to put the City in that mess. I think the City has a not to good of history of going to court.

Mr. Scherpenberg – Wouldn't that tell you a while ago maybe you should have fired the lawyers you have been using these past maybe 10 years.

Kerry Meyer, 4411 Kemper – My question is, since we're looking at right now, just a 2005 budget, and we're trying to balance that. If we do pass these tax levies and bring in this 1.5, 1.6 million and the people are already gone, are you planning on bringing them back. It's going to be too late, what are you going to do with the extra money? Why can we not wait another four or five months until May and see what happens with the levy and then we will actually know a better idea of what our revenues are going to be and then make our decisions on if and what cuts need to be made.

Mrs. Brickweg – That is one suggestion I tried to make at the Finance Committee meeting and I think Barb was addressing that also. Obviously we weren't going to take any money out of the reserves to help us with our budget but I personally if we need to to keep those firefighter and the policemen and service workers here until we do the ballot, I think we should take out of there and replace it. Another reason I didn't think the 7 mils was enough, because I don't know if that will work with going with 7 mils. I agree with him, if we lay them off, first of all if we lay them off, I'll be honest, I don't think people are going to vote for the millage. Why would they vote for something if we took everything away from, it's like, hey we're going to fire everybody and take away your services, now, Oh, can you go vote for some millage for us? I think that is not a very good idea.

Mr. Stegman – One comment, we're not trying to balance the full budget, this year, the money that is coming in this year is \$8.6, in the reserves it's \$3.5 that's left, we are pulling \$1,000,000 to help the situation of trying not to layoff but we also have a callable note of \$2.1 million that could be up in June or July. With the lawsuits that we have out there it could be recallable and we'll have to have that \$2.1 to pay it off. Yes we are putting \$1,000,000. towards it, we're not trying to balance it to the money that's coming into the City.

Mr. Zix – Just to go over the numbers with the \$1.1 coming in from the 7 mil. possibly plus another \$300,000. makes it \$1.5, that will give a projected income of \$10.1. We have debt of \$4.2 million after this year we will be \$2.4 million in debt plus still not have enough to run the way run right now. That's where he's trying to get at. \$1.5 over with the \$1. million out there, giving the million to the budget.

Mrs. Brickweg – That's why I suggested over, and over and I guess we'll have to wait on the Nu Maid, that's why you make payments on your loans. It should have been being paid off the last four or five years and Nu Maid

should have been paid off, instead we just sat here and said, Oh we don't have to pay it off we're making interest. Well now look where we're at. That's one problem that we have, we didn't pay off our loans. That's another reason, you just said it \$1.1 and if we pass the income tax, it isn't going to be enough money. So what did we just solve? We put a band-aid on a sore like I said.

Ricky Paul – I need to know more about this \$2.1 on NuMaid. Are you telling me that it's due and payable in July because that's as long as your note is?

Mr. St. Clair – Yes sir.

Ricky Paul – There's no way you can renegotiate another note, is that what you're trying to tell me? I think they'd love your interest.

Mr. St. Clair – No. We're not saying we can't renegotiate another note. What I said to Council in regards to this note is that it is a one year term note, it's due in July of 2005. One of the things when you go to refinance, you have to sign a no litigation certificate which insures the lender that there are no possible liabilities out there that might harm the City or keep the City from paying the debt when it comes due for the next term that you might increase it for. Right now we do have some litigation over our heads that would prevent the City to sign a non-litigation certificate.

Ricky Paul – OK, so you're telling me you can't take out, like I do on my house a 15 year note and the note is paid off in 15 years and you're done with it. You're not paying on anything?

Mr. St. Clair – The note is the same as it originally was. We've only paid interest.

Ricky Paul – Take out a 15 or 30 year loan, pay the (expletive deleted) off, and there is your \$2.1 million.

Mr. Walden – Let me remind the audience to please avoid using profanity.

Steve Brannen, 35 Phillips Ave. – Walt, what did the NuMaid property appraise at?

Mr. St. Clair – I don't have the tax bill in front of me, but it's less than \$1 million.

Mr. Brannen – We paid \$2.1 million and it's being appraised for less than a million? I don't know how you guys do math up there, no wonder we're in trouble.

Mr. Burkhardt – The next COW meeting will be Thursday, Jan. 13, 2005 at 7:30 pm.

Mr. Walden – We have a pending motion by Mrs. Kalb, seconded by Mr. Stegman to go into executive session. Motion passed 7-0.

EXECUTIVE SESSION

COUNCIL MEETING JANUARY 6, 2005 RESUMED

Motion by Mr. Zix, seconded by Mrs. Kalb to reject the fact finders report. Motion passed. 6 -0. Mrs. Brickweg abstained.

Mr. Kempe - I was asked today by JMA about a grant for playground equipment. I think our equipment is in good enough shape and given the financial situation I think we should decline.

Council agreed.

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