

**ST. BERNARD CITY COUNCIL MEETING
APRIL 17, 2008**

The regular meeting of the St. Bernard City Council was held Thursday, April 17, 2008 in Council Chambers.

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

Roll call showed that all members were present: Mr. Tobergte, Mr. Peck, Mrs. Bedinghaus, Mrs. Brickweg, Ms. Hausfeld, Mr. Meier, Mr. Zix.

Mrs. Brickweg made a motion to dispense with the reading of the minutes. Mr. Peck seconded the motion. Council agreed 7-0.

REPORTS OF CITY OFFICIALS

MAYOR, Mr. Burkhardt – No report.

AUDITOR, Mr. St. Clair – The reports for the City’s investments and bank accounts have been distributed to Council and the Treasurer.

Before Council tonight is Ordinance No. 17, 2008. As discussed at the COW, this Ordinance provides for an additional appropriation of \$5,000 to wages for temporary employees in the Tax Department. There is also one appropriation adjustment in the Civil Service Commission of \$157.50 from stationary and printing to legal consulting.

DIRECTOR OF LAW, Mrs. Kate Bedinghaus – I just read through Resolution No. 4 before Council tonight and in the fourth line there is a typo. It should not be “lime” it should be “limit”. It should be corrected before we send that off. Also, if you’re getting a chance to read some of the testimony from the U.S. House Judiciary Committee hearings on this bill, I just ask that Council pass this Resolution as I believe it will be significant tax fall to the Committee.

TREASURER, Mr. Sipe – No report.

SAFETY DIRECTOR, Mr. Chatman – Several notes, first of all, investigator Mike Matheson and Lt. Bill Ungruhe completed a two day taser instruction course which included being tased, which is no fun I’m sure. Lt. Simos, Officers Setters and McCreanor just completed three days of criminal investigations. This week also is Public Safety Dispatcher appreciation week. I wanted to appreciate publically what our dispatchers do. Today is April 17th, Fire Fighter Appreciation Day and on that note I wanted to express my condolences to all fire fighters for the loss of two members of our extended family, Capt. Broxterman and Fire Fighter Shira. Related to that, I wanted to thank our Fire Fighters for stepping up to their brother department and assisting them in their time of need. We had several members of our department to actually go out to the fire house and man the trucks and ambulances in their absences and until they are ready mentally and physically to get back to work.

One additional fire fighting note, the Hamilton County Fire Chiefs Assoc., in conjunction with the Ohio Fire Academy, is presenting Smoke Showings

and that will be on June 7th, 2008. This is a one day course designed to orient elected and public officials to the training apparatus and equipment used by today's fire fighters. If any of the Council members would like to attend and participate in that it will be June 7th as I mentioned from 8:30 until 4:00p.m. Reservations can be made through our Fire Chief Scherpenberg and I recommend giving it a shot so that we can see and get a full appreciation for the work that they do.

SERVICE DIRECTOR, Mr. Schrand – I'd like to ask Council tonight to pass Ordinance No. 18, 2008 so I can put the dump truck on order. If we're lucky we'll be able to have the truck before the snow falls.

I'd also like to ask Council to pass Ordinance No. 19, 2008 for the big toy for Ludlow Grove. I'd like to get that on order so the kids will have something to play on this year.

The members of the Service Dept. rebuilt the catch basin called "dead man's ditch" on the hill at Vine St. Park. They did an excellent job of repairing that catch basin.

Trees were removed from behind the shopping center. We will start on the wall when the schedule permits.

I will soon be marking sidewalks that need to be replaced throughout the City. If anyone thinks their sidewalk needs to be replaced, I would like them to call City Hall and we'll make a list and check them out.

TAX COMMISSIONER, Mr. Geiser – I urge Council tonight to pass Resolution No. 4, 2008. I will have additional information when that is presented to Council I would like to give. Also I urge you to pass Ordinance No. 17, 2008, that allows me to continue to bring in temporary employees, as I mentioned at COW, I'm pretty much out of money and there is still more work to be done.

Lastly, I urge all citizens to get your taxes in. I've had a number of calls about what happens if they file late and if anybody has seen the tax office door there is the law posted that says if you're late it's a \$50. fine for not paying on time and if you owe taxes, it's a \$50. fine. It's my understanding, I asked what happened in the past and found it was kind of an arbitrary thing. Sometimes it was enforced, sometime it wasn't, and I don't particularly care to do that. I think the law has to be applied equally and fairly and I don't particularly like fining someone for that kind of money so I urge you to get your taxes in as soon as possible. What I have been doing, the Tax Ordinance gives the Tax Commissioner the authority to wave interest and penalties for good reasons shown. What I've been doing, it is a \$50. fine if you're late, but the 1st to April 16th I waved all but 45 of those. So you got a \$5. fine. Today it was a \$10. fine and it's going to progressively go up. So if you haven't filed, get it in as soon as possible. It's not something I enjoy doing but you have to get the records in or the penalties will be enforced.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Zix – The Finance Committee met tonight with Walt St. Clair and Jamie Sipe, Al Kanters and representatives from the Fifth Third Bank to move the progress ahead and obtain GO Bonds.

Also, we met with the Mayor to talk about some recommended pay increases that we will talk about at the next COW.

I would also like to have the Finance Committee meet at 6:45 before the next COW.

SAFETY, Ms. Hausfeld – On behalf of my Committee I would like to thank the Fire Chief and all of the firemen who have chipped in with helping the Colerain Fire Dept. man their departments in this most difficult time. Since today is Firemen's Appreciation Day, I would like to thank each fireman for doing an outstanding job each and every day they come to work. (Sorry Rodney, I already had that prepared, before you made yours.)

SERVICE, Mr. Tobergte – The Service Dept. report for March, 2008 is as follows:

- 22 trucks placed at residences along with 101 special pick-ups
- 222 tons of garbage was taken to the landfill
- 21.9 tons of recycling material
- 5.8 tons of cardboard
- 9528 lbs. of scrap metal
- 29 appliances

The City received \$538.60 for its recycling so far in 2008.

PUBLIC IMPROVEMENTS, Mr. Meier – I have several things to go over tonight. The Public Improvements Committee did have a meeting this past Saturday morning. Ms. Hausfeld did attend and Mrs. Brickweg had told us ahead of time that with it being the last Saturday before tax season she would be unable to attend so we already knew that. In any case, like I said before, we're interested in forming a neighborhood assoc. but I don't think that interest is there at this time so we will postpone that. I did talk with Marge Neisen and she was talking about doing something similar as she is involved in a You Could Do It Better In St. Bernard. It's along the same lines as the Home Improvement Contest we had talked about. This is more or less instead of having a Neighborhood Assoc. do it, what she suggests is that if Council could pass a Resolution and then the City organizations whether it's clubs, organizations, Chamber of Commerce, individual businesses could then sponsor an awards or recognition and then people who did work on their homes over the summer then we could get a monthly or periodically whether it's monthly or bimonthly, we could recognize those people for the work that they're doing on their homes and we can have some drawings, so it wouldn't necessarily have to be a contest more or less it would be a recognition program so maybe we could discuss this at the COW next week.

The CIC met last night, at that meeting there were presentations from two architectural engineer firms, one was Cornette - Violetta, that is a smaller company that has extensive experience. The other was Toensmeyer that is a much larger company. Both of these companies have either within themselves or has access to people who are LEAD certified and we're looking at doing a LEAD certified type of project on Nu-Maid. One of these companies will be selected to work with the CIC and the areas that they are going to be advising on will be on the construction at Nu-Maid and if people remember from several years ago, the original drawings showed four buildings and we're probably going to be back to that same type of drawing of four buildings. They will work on Nu-Maid, they will work on the development at Bertus and Vine the corner there. They'll be working with the CIC and the business community who did all the street scape for the City and if any construction goes on in Ludlow Grove Park they will also be

working with that. After the meeting, the CIC met in Executive Session, we had some discussion of acquisition of properties and basically as far as the architectural design companies, the people in the CIC thought that both companies would be very capable of carrying out the work that we need to do. They have extensive experience and what it came down to is since Al will be the one, and Gerry will be working most directly with them we felt that which ever one that they would feel more comfortable with on a day to day work basis, we gave Al the authority to select which one of the two that he would prefer working with and we were comfortable with both.

If people noticed in the Sunday paper in the Real Estate Section, there's a very nice article on the renovation of 564 Rose Hill. It was nice recognition for the City to get that done by Southwest Cincinnati Housing Partners. They have secured a \$150,000.00 grant to be used here in the City. What that will allow them to do would be to do five more properties similar to that. On this particular property the homeowners were given the gap funding. It was a \$30,000.00 forgivable grant which is an excellent tool for developing home ownership because that grant is forgiven over a period of ten years. It's an exceedingly strong incentive for that property to be owner occupied for a period of ten years.

Also at the end of the meeting today I would like to go into Executive Session to discuss acquisition of property and Gerry if you would please attend, I would like to have you sit in on that as well.

LAWS, CONTRACTS & CLAIMS, Mr. Peck – No report.

BUSINESS & INDUSTRY, Mrs. Brickweg – Mayor Bill Burkhardt asked me to read this letter that all of council members have received regarding the library.

As the library prepares its 2009 budget, it seemed appropriate to contact St. Bernard City Council members with an update on the status of the new St. Bernard Branch Library. As part of our annual budget, the Board reviewed the capital projects and priorities. This review was conducted at a meeting of the board facilities committee in February and approved by the full board at its meeting on March 12th. The board agreed with its facilities committee recommendation that the St. Bernard Branch Library project be included in the library's 2009 budget despite the ongoing funding uncertainty the library is facing. Since January, 2008 library funding in this State has been on a new funding source, a 6 percentage of the taxes included in the General Revenue Fund. While we believe that this funding will provide long term growth and stability in the library funding the current state economy makes it unlikely that there will be a significant increase in the revenues received by the library in 2008. The next few months will be crucial in answering this question. To date, the library has spent more than \$200,000.00 towards this project and plans to invest and additional \$3,000,000.00 to complete the construction of the new branch library as soon as funding allows.

In addition, the library will provide the citizens of St. Bernard with a wealth of information sources to encourage pre-literacy skills, internet access and a variety of educational and informative programs all at no cost.

I understand that there are a few new Council members who may not have the full history of this project which are the tax to pay providing that background information.

We do appreciate the generosity of St. Bernard in donating the site for the future St. Bernard Branch. Library plans continue to include the

construction of the new branch library in St. Bernard once funding levels will allow for the library to be responsibly met the increased operating expenses that accompany a larger facility. Please let me know if you have questions concerning this project.

Sincerely,

Kimberly Fender

Just to add a note to that, we did discuss this at the COW and we should know more in June or July if the funding is there. At this point it's kind of the same thing that we've heard before. Funding is there to build it but the funding is not there to operate it. Al Kanters is also working with the library that maybe we can come up with an arrangement where it can be a double use space and we can have some retail in there that would help with the extra funding. We will be able to give more of a report after we hear back from the library this summer.

HIGHWAYS & TRANSPORTATION, Mrs. Bedinghaus – No report.

Mrs. Brickweg – The COW report has been submitted to the Clerk.

COMMITTEE OF THE WHOLE - April 10, 2008

NEW OR REFERRED ITEMS:

1. Council voted to approve the minutes of the April 3rd council meeting after Cindi gets her changes to Sue.
2. Council discussed the Philips Ave – Canal Bed property regarding turning it over to the CIC. The city attorney, Kate Bedinghaus gave council a report stating that the Canal Bed property is a tract of property that is part of the land conveyed to the City of St. Bernard by a Corrected Governor's Deed as recorded back in 1954 when St. Bernard gave consent for the construction of the Millcreek Expressway. Kate did not find it stated anywhere that this land is "park land". The report she presented to council was very detailed and it answered council's questions. Kate also provided council with a sample purchase contract which will go along with the ordinance to convey the property to the CIC. Council discussed if they wanted to include a clause guaranteeing the CIC get funding for the project, but this part was declined. It will be in the agreement that the CIC will have up to 2 years to obtain building permits and if the land is not developed before the permits expire the CIC will convey the property back to the city. Council will also have the final vote on what is built on the property. Council voted (6 to 1, Kevin Meier voting no) to have this ordinance on the table for the next council meeting.
3. Council discussed auditing the Tax Department and the Auditor Department. The Tax Commissioner, Ed Geiser stated that he has informed council of the condition of the Tax Department and that he feels it would be a waste of money having the Tax Department audited. Peggy Brickweg and Patty Hausfeld stated they thought it would be beneficial to have an outside source come in and audit the departments. Cindi Bedinghaus asked for information on what an auditor would do, which Peggy Brickweg explained. Cindi then stated she is in favor of a department assessment, not an audit.

REPORTS OF ADMINISTRATIVE OFFICIALS:

Mayor, Bill Burkhardt:

1. Bill informed council that the new recycle trash cans around the city were purchased with \$13,000 in grant money. There a total of six sets.
2. Bill informed council that Heidi Culbertson will be starting as the new front desk clerk the last Monday in April.
3. Don Tobergte asked Bill to ask Paul Strottman, the Head of the Recreation Department to attend the next COW meeting to explain why he purchased \$715.00 of clothing out of a line item with no money in it.

Auditor, Walt St. Clair: Walt informed council that the Civil Service Commission asked for an appropriation adjustment of \$157.50 from their stationary and printing line item to go to their legal consulting line item. Council voted (7 – 0) to put this on the table for the next council meeting.

Law Director, Kate Bedinghaus: Kate informed council that she is preparing a resolution expressing St. Bernard’s opposition to House Bill 3359 which will only let our city tax contractors who work in our city for over 60 days, currently it is 12 days. This would have a large impact on the city tax being collected.

Don Tobergte informed everyone that at the Civil Service meeting on Tuesday the commission’s attorney wrote a letter informing them that the legal documentation he received from Kate was one of the best reports he has ever read. Rodney Chatman, our Safety Director echoed the sentiments.

Safety Director, Rodney Chatman:

1. Rodney thanked all of our Fire fighters for what they do on a daily basis. He stated that the tragic deaths of Colerain Township Fire Fighters, Captain Robin Broxterman and Fire Fighter, Brian Shira reminds us of just how dangerous their jobs can be.
2. Rodney reported that Chief Moeller and himself met with TEC Engineering to start reviewing the traffic study they are doing on Ross Avenue. They were both very impressed so far and look forward to presenting the entire study.
3. Rodney reported that the Civil Service Commission met on Tuesday and they voted the commission will follow Ohio Revised Code 124 with hiring procedures.

Service Director, Ray Schrand:

1. Ray asked council to put an ordinance on the table for the next council meeting so he can start the paper work to purchase a new dump truck for the Service Department. The cost will be \$47,853.50, which is in the current budget. Council voted (7-0) in favor.
2. Ray asked council to put an ordinance on the table for the next council meeting so he can purchase a play ground set for Ludlow Park. The cost for the playground equipment is \$19,000 and the money is in the budget. Council voted (7-0) in favor.
3. Ray informed council that the repairs at the pool are complete.

Tax Commissioner, Ed Geiser:

1. Ed gave council a memo he will be distributing explaining to St. Bernard employees stating that they need to make sure they use the local wages in box 18 of their W2 and not box 5 which is mistakenly listed on the current city directions.
2. Ed asked council for additional money to continue to hire personnel to enter past tax information. After discussion regarding hiring a full time person, part time person, or a person from Accountemps it was decided to fund the department line

item for temporary employment with \$5000.00, which is to be used over the next 90 days. At that point Ed will report back to council the department's progress and give an estimated time of when all backed up data will be entered. Council voted (6-1, Don Tobergte no) to put this in an ordinance for the next council meeting.

Treasurer, Jamie Sipe: no report

C.O.W. Agenda – Page 2

REPORTS OF STANDING COMMITTEES:

Laws, Contracts and & Claims, Mike Peck: no report

Public Improvements, Kevin Meier: Kevin announced that his committee will be holding a public meeting on Saturday, April 12th at 11:30 AM to discuss with the citizens the ideas of starting up a Neighborhood Association.

Business & Industry, Peggy Brickweg: Peggy announced that the CIC will be meeting in Centennial Hall Wednesday, April 16th at 6:00 PM. She also read parts of a letter from Hamilton County Library regarding if they will build a new library in St. Bernard anytime in the near future. Peggy will give a detailed report at the council meeting.

Safety, Patty Hausfeld:

1. Patty thanked all the St. Bernard Fire Fighters that have been going to Colerain Fire Stations to help man them during this difficult period.
2. Council discussed rules of Executive Session regarding who should sit in on Executive Session, the purposes of the sessions and if items that are discussed are being leaked out from Executive Session. It was agreed that council will vote at each Executive Session on who to let sit in and that everyone in Executive Session needs to remember the ethics of their job.

Highways & Transportation, Cindi Bedinghaus: no report

Service, Don Tobergte: no report

Finance, Greg Zix: Greg announced that his committee met that night to discuss the part time pay raises which will be a three tier system with 3% raises in each tier. Walt will put together the ordinance with all the pay raises and it will be on the agenda to discuss it at the next COW meeting. The committee will also be meeting Thursday, April 17th at 6:30 PM to discuss bond financing for the city's revitalization project.

Audience Participation:

John Metz asked why the city is voting on pay increases for summer help, which some have not even started working yet. Greg Zix explained that this is how it has always been done and that the raises are for the position and not the person. He also stated that the reason the raises were put off this year is because they were trying to hold off for until the Fire Department settled their contract.

Clair Temple asked council why they do not meet on the 2nd and 4th of the month for the COW meeting, instead of the 5th Thursday. Ed Geiser explained that it is better to only have a one week break between COW and the next council meeting so city business, such as ordinances do not have to wait.

Council voted to go into Executive Session to discuss contract negotiations with the Fire Department. (7-0).

Ordinances and Resolutions for the next council meeting:

1. Ordinance to convey Canal Bed property to the CIC

2. Ordinance for Civil Service and Tax Department appropriations
3. Ordinance to purchase dump truck for Service Department
4. Ordinance to purchase playground equipment for Ludlow Park
5. Resolution regarding HB 33.59

Next Council Meeting: April 17th 7:30 P.M.
Next C.O.W. Meeting: April 24th 7:30 P.M.

Respectfully submitted,

Peggy Brickweg,
President of Council, Pro-Tem

COMMUNICATIONS – None.

RESOLUTIONS AND ORDINANCES

Motion by Mr. Meier, seconded by Ms. Hausfeld to read this evenings' Resolutions and Ordinances by title only. Motion passed 7-0.

Mr. Walden – Before we begin with the reading of Resolution No. 4, 2008, Mrs. Kate Bedinghaus, did you indicate that there needs to be an amendment to this Resolution.

Mrs. Kate Bedinghaus – Yes.

Mr. Walden – Could you tell us again what that amendment would be?

Mrs. Kate Bedinghaus – On the forth line where it says “lime”, it should be “limit”.

Motion by Mrs. Brickweg, seconded by Mr. Meier to amend Resolution No. 4, 2008 to change the word “lime” to read “limit”.

Motion to amend Resolution No. 4, 2008 passed 7-0.

RESOLUTION NO. 4, 2008, A RESOLUTION EXPRESSING THE CITY OF ST. BERNARD'S OPPOSITION TO HR. 3359, THE MOBILE WORKFORCE STATE INCOME TAX FAIRNESS AND SIMPLIFICATION ACT OF 2007, A BILL TO LIMIT THE AURHORITY OF STATE AND LOCALITIES TO TAX CERTAIN INCOME, AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Resolution No. 4, 2008 as amended.

REMARKS

Mrs. Brickweg – Ed, did you have a report on this?

Mr. Geiser – Yes, I have some additional information if I may? I received an email this week from the Director of Regional Income Tax Agency which is the central southern Ohio district, kind of like SWOTA which is the South Western Ohio, I had an email that he had gotten from the National League of

Cities so just to give you some importance of how important this is. The National League of Cities is involved with this. They went and set up an organization or a coalition or task force however you want to call it, in the Ohio Municipal League and the Michigan Municipal League and the National League of Cities met and sent information to the sponsor of this bill. It's a representative Han Johnson, Democrat out of Georgia, it gave significant data of the negative impact this legislation would have on State and local revenues. In this meeting, I'll read this to you, "In the meeting on April 9th, what the coalition representative Johnson indicated among other things that he did not intend for the bill provisions to apply to local governments and expressed the willingness to revise the bill of language to reflect that intent as the bill moves forward". Now the caption of this email says, sounds good let's hope he will be able to follow through. I think this shows the importance of passing this Resolution, I think we should go forward with it and also possibly have the Clerk send it to not only our Representatives but also to Representative Han Johnson in Georgia.

Mrs. Brickweg – Ed maybe you can help me if I quote this wrong. Just so the people understand what this is about is they're trying to limit when there is workers in the City, I'll give an example, a plumber or an air conditioner worker, right now if they work more than twelve days, the City can tax on that work. If they pass this they're going to extend it to sixty?

Mr. Geiser – That's correct. Not only to sixty days, but it has to be sixty full days. More than, I don't know how many hours a day but, what's interesting about what Representative Johnson said, the law strickly says as its written, State and localities, which includes municipal government, unless they change it as it stands. Right now we're going to be out and its just one further explanation we learned in a SORTA meeting, Columbus expects to lose anywhere from 10 to 15% of their income which is significant.

Motion to suspend as amended passed 7-0.

Motion by Mrs. Brickweg, seconded by Mr. Tobergte to adopt Resolution No. 4, 2008 as amended. Motion passed 7-0.

ORDINANCE NO. 14, 2008. AN ORDINANCE AUTHORIZING THE CITY OF ST. BERNARD TO CONVEY REAL PROPERTY KNOWN AS THE CANAL BED PROPERTY AND DESCRIBED IN THE ATTACHED "EXHIBIT A", TO THE ST. BERNARD COMMUNITY IMPROVEMENT CORPORATION PURSUANT TO ARTICLE III SECTION 1 OF THE AGREEMENT AND PLAN BETWEEN THE CITY OF ST. BERNARD, OHIO AND THE ST. BERNARD COMMUNITY IMPROVEMENT CORPORATION AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mr. Tobergte to let Ordinance No. 14, 2008 take its regular course. Motion passed 7-0.

REMARKS

Pam Cain, 193 Harvey Ct. – First, before I get to the Canal Bed, I'm excited about hearing the CIC plans for Nu-Maid and some of the other projects in St. Bernard. I guess what I'm looking for here is some more information, I

know that or at least what I've heard is that the property needs to be conveyed so that the project can move forward and plans can be made. I still question whether or not those can be processed and given out to the public for input prior to that happening. One of the concerns that I have is that the plans are going to move forward with or without community input maybe, and I'm curious as to what, how do I say this, before development starts, before ground is broken, will there be a minimum number of town homes required or sold? Does that make sense? Am I being clear here? I guess that's a detail and that's further down the road but I'm just looking for this not to take off and get moving, break ground and then have things kind of at a stand still or maybe half way done.

Mr. Zix – Hopefully, I'll take a shot at a couple of questions. I think, No. 1 is if we turn this over Council still has the final OK because it's in the overlay zone. We do plan on having, as the Mayor said before, plan on having public hearings for input from all the citizens and I'm not sure on the amount, if there is a minimum amount. I know what you meant about minimum amount of condos being sold first or in the preparation stage so that we know we have that for those building and we can find that out for you unless some of the other Councilmen would know.

Mrs. Brickweg – In the agreement there is nothing stating that, no. That so many of them have to be sold. Basically, we're just looking to get the plans, I mean it might not be town houses, it might not work out, this is just to get the plans and like Greg said and the Mayor said, there will be public hearings to get all the citizens input and Council has the final say on it. But there is nothing in the agreement right now regarding a percentage being sold.

Mr. Meier – Obviously I will go on record as being opposed to transferring this. I think that the biggest, if you look at pros and cons, the biggest positive to building on the site is that the City owns it. I think if the City did not own this property and we had to come and we had to purchase the property, for whatever amount, in order to build on there, I think peoples prospective would be different. I think there are substantial obstacles to building there. One obviously is that the people in that area don't want it there. It's landfill, it may not be buildable. There are some storm sewers there and some other things that may negatively impact that. There is a purchase agreement and when I was looking through this, it looks like, I thought that there was a twenty four months on this but it looks like there is some additional verbage on here that where you obtain building permits within 24 months but construction within 36 months and then there is another that where the sellers right to have the property re-conveyed must be executed within 48 months. Maybe I didn't notice that before but I don't know if that was in the spirit of what we're looking for when we discussed this, and we did, at the COW last week, there wasn't an addendum that was brought forth as whether or not to require the CIC to secure outside financing for that project. Council did vote 6-1 not to approve that. I guess at this point, I'm in a unique situation here because I'm on the CIC and I'm also on Council and I represent people that don't want this down there. Let me kind of explain my situation like this. I'm opposed to transferring this, I don't necessarily believe that it's a good thing to do. I can't imagine somebody who would want to purchase a LEAD certified or

environmentally green town home and sit at their breakfast table and overlook all the roof tops, the smoke stacks of COGNIS. It kind of doesn't make sense to me. On the other hand, I am a member of the CIC and want to make sure that people hear it clear that with the exception of this one project that I don't necessarily agree with, the work that the CIC is doing, the people of this city will be very happy with when it's done. The other projects, whether it's Nu-Maid, Bertus and Vine, streetscapes, with some other projects that are going on that are to the point to where they can be brought forward because it involves acquiring property. I think the people of the City are going to be very, very happy with us. Please don't misconstrue my position on this as saying that I'm against what the CIC is doing. I'm against this project. I don't think it's been well thought out. Personally, I don't think it's buildable down there. If it is buildable I would like to see the money coming from outside the City and outside the CIC. I don't want this to become a contest of who is going to be right and who is wrong and self fund things to the point of building down there. If the properties are pre-sold and there is a market for it and the people have had a chance to express their opinions in a public meeting and have a chance to look at the drawings and express their input and if everybody up here votes 6-1 and I'm shot down then I'm shot down. Like I said, the biggest argument for putting homes there is that we own the property. Aside from that, I don't know if anybody else has any comments on the 36 months and the 48 months if that was what we were intended on in having in this purchase agreement.

Mrs. Brickweg – Maybe Kate can help us. The 36 months, made sense, we said we would go to 24 months and a building permit expired after a year which would make it 36. If I'm reading correctly here, it says sellers' rights to have the property re-conveyed must be executed within 48 months after closing. Does that not mean that sometime before 48 months we have to do it. It doesn't mean we have to wait till 48 months, because basically between the 36 and 48 months, correct?

Mr. Peck – What happens after 48 months and if the property is not reconveyed if something happens where I guess, some thing falls through with the building permit, how do we get our property back after 48 months?

Mr. Tobergte – The way I read it is that there are 24 months where a building permit is not issued, it doesn't matter. 48 months we get the property back after the 24 month period is up.

Mrs. Bedinghaus – That's what I think it reads in Section 3 too is that it would automatically terminate after that so it would be re-conveyed back to the City.

John Metz, 4419 Kemper Ave. – First off, Kevin I would like to remind you, you are also my representative and I would like to see the City move forward with reviewing whether properties could be built down there or not. I think your premise is that it's always the suggestion we build there because the City owns it is false. I think if a person owned that property would it be developed is more feasible at this time. I think your premise is there is wrong. I think what Al is saying is, "lets see if it's buildable, let's see if we can get some interest, lets see if we can connect this with the Vine St. project

to bring interest into the City much like the article Sunday did with Rose Hill about being rebuilt. Lets see how we can make the City better, increase our resident count so we don't have to worry about the census coming along and depriving us of our status as a City.

The motion to have Ordinance No. 14, 2008 take its ordinary course. Motion passed 7-0.

ORDINANCE NO. 17, 2008. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND TO ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mr. Zix to suspend with the second and third reading of Ordinance No. 17, 2008.

REMARKS

Mrs. Bedinghaus – Tonight on Ordinance No. 17, I will be voting for this, however, I did ask Eddie last week in lieu of this that if we could have some information from his two consultants in the near future as to how many more days or hours of work they think they would need in order to get the work finished. This should cover, I think, about two months worth of work. Eddie would you say it would cover about two more months?

Mr. Geiser - Yes, we spent about \$3,000 in about two months. I am with the temps, with the three ladies that have been coming in now we are increasing the number of hours, for a long time it was just Jane and Shannon. Now I've got a third one, Jana, who has been coming in on Saturday and coming in during the week one day. This past Saturday I had three other individuals that made it a lot less. Just learning how to do data entry so I basically had six people in here this week and three training me, the other three getting some work done. The other three can hopefully start working during the weeks and it's going to take some time. I'll get some better information for you, but it's going to take some time.

Mr. Tobergte – I'd just like to ask Eddie, you just mentioned you had three other people come in last weekend. Did we advertise for these jobs or how did they find out that you were looking for people to help out?

Mr. Geiser – I didn't advertise, I'm just looking for anybody to come in and do some data entry so it's a matter of trying to get the job done. I know you kept pushing me to get Account Temps. I've been told, get the job done, get the job done, get the job done over and over again so I called Account Temps, I got information from them, but I was just looking for people who could come in and do some data entry on a regular basis because I don't think this is going to be done over night. There is eight years of work back there and it's going to take some time.

Mr. Tobergte – I agree we need to get the job done Eddie, but I think if you're going to hire somebody it should be advertised not just going on word of mouth.

Mr. Geiser – I don't know what happened in the past. It's my understanding that there was money put in the budget for the Tax Commissioner to bring in temporary help. That was never advertised. They found people to do the work and it was part time, temporary, for however long it takes to get the job done. I don't ever remember it being advertised.

Motion to suspend passed 7-1.

Motion by Mr. Zix, seconded by Ms. Hausfeld to adopt Ordinance no. 17, 2008 as read. Motion passed 7-0.

ORDINANCE NO. 18, 2008. AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROPER CONTRACT FOR THE PURCHASE OF A 2008 FORD F550 DUMP TRUCK THROUGH THE OFFICE OF STATE PURCHASING, OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, AND DECLARING AN EMERGENCY

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 18, 2008. Motion passed 7-0.

Motion by Mr. Peck, seconded by Mr. Tobergte to adopt Ordinance No. 18, 2008 as read. Motion passed 7-0.

ORDINANCE NO. 19, 2008. AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROPER CONTRACT FOR THE PURCHASE AND INSTALLATION OF GAME TIME PLAYGROUND EQUIPMENT FROM DAVID WILLIAMS & ASSOCIATES, AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 19, 2008. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Ms. Hausfeld to adopt Ordinance No. 19, 2008 as read. Motion passed 7-0.

Mrs. Brickweg – I would like to make a motion to go into Executive Session at the end of the meeting to discuss the possibility of purchase of property.

Mrs. Bedinghaus – I will second that.

Motion passed 7-0.

OLD BUSINESS

Mr. Tobergte – I would like to thank Elaine Sipe and Walt Moeller for meeting with the representative of ProSource to look at the need concerning copiers and the possibility of having all City copiers under one contract.

NEW BUSINESS

AUDIENCE WISHING TO ADDRESS COUNCIL

Tom Rolfsen, 30 Clay St. – When I came in I heard about the library. It sounded good and then at the end it sounded like they're still not going to build it. Why is a letter from Kim Fender saying that at this time the library is still planning to construct a new branch when funding allows unless the library cancels the project or the City of St. Bernard requests the land back. Do we plan to hold on to it until we can build? The ultimate decision would be the library board of trustees. I believe that the project is cancelled or the City requests the land back the board will return the land. I've heard a lot of things over the years saying that we don't have any recourse on getting the land back but she's saying that all it would take is for Council to ask for it back. I just want to bring that to your attention. Secondly, the last time I was up here I asked if the City was buying more property and I was told no but now I hear that you're going into Executive Session, so is this the City buying property or the CIC?

Mr. Meier – I wanted to talk to Council about possibly buying, there is no contracts or anything. I have an issue that I would like to discuss which is why I asked to go into Executive Session.

Tom Rolfsen, 30 Clay St. – The second question is that I've heard that somebody, either the City or CIC bought Crawford Detailing Shop down on Mitchell. Was that the City or the CIC?

Mr. Meier – My understanding is that the CIC has a contract on that property, that is not the City.

Mrs. Brickweg – I was wondering if Mr. Rolfsen didn't mind if he could give the Mayor a copy of that letter so Council could look at it from the library so we could discuss that?

Dee Rutemiller, 220 Harvey Ct. – Kevin, you talked about the Cincinnati Properties, that the money always (tape change)

Mr. Meier – to get up to a \$30,000 in this funding, so what that would do is the people buying the property would have to qualify for \$120,000 mortgage and then they would have \$30,000 in equity. Typically in a real estate transaction if the seller or somebody else comes in with funding like that it would be considered a sales concession. If the person were to get that concession from the seller, if they were to get a \$120,000 mortgage, that would be considered a 100% loan to value, OK because the lender would look at that \$30,000 as a concession for them or an inducement to sale. But by going through the route, through the non profit and through this funding it's not looked at that way. It's actually looked at as equity to the home buyer. It's a very strong program and what CHP did, they went out and they got, I think they got a total of \$300,000 and they work in several other communities as well and they have more or less earmarked half of that or \$150,000 of it to be used here in St. Bernard. A part of that is because Gerry and Walt have been so easy to work with and have worked well with them, and the City has been so proactive and helping them as well that they more or less want to take half of their funding, I think they're working four communities, but they more or less want to direct half of that for use here in our City.

Mrs. Dee Rutemiller – Thank you, and the last thing I wanted to know and I watched PBS this past Sunday and we had a house on Harvey Ct. that was a real disaster and People Working Cooperatively, they featured it on the show and they completely restored this home on Harvey Ct. They gutted the whole thing and what they did to it was absolutely beautiful. If you missed it, I'm sorry that you did.

Mr. Zix, you were talking about bonds before, you just mentioned it, the citizens, we don't really know what you're talking about so if you could explain that a little bit, please.

Mr. Zix – Yes, I'll try the best I can, the Finance Committee is sort of starting on that journey to try to learn. We're working right now with Walt and Al Kanters and Jamie Sipe and that would be bond financing that would be literally to acquire financing for some streetscape or some property acquisition and some restoration of the City. What that would be is, I don't know enough about it to tell you right now to be able to explain it in detail but essential it is financing of about \$2.5 million is what we're looking at. I don't know if Walt could help me any explaining it or if I am explaining it properly, Walt?

Mr. St. Clair – The funding would be for different purposes, property acquisition, streetscape, infrastructure and talking with the people at Fifth Third and financing it, it needs to be a little bit vague for it's purpose for tax exempt purposes, it has to be for a public purpose as apposed to a private purpose so there really can't be anything done with the bond financing for a for profit organization. Basically it is I guess what you would call it, basically seed money for us to invest in the City as far as streetscape, property acquisition and so on, various projects that the CIC is looking at. I hope that helps.

Mr. Zix – If I could add, some of this money we hope to get back except for the investment would mainly be in the streetscape. The property acquisition we hope would turn over again and bring that money back to us and repay them bonds. Bonds are just essentially a way of financing. The streetscape would be money we would invest in the community.

Joan Ronneberg, 4217 Sullivan Ave. – I would like to thank the Fire Dept. We had to call them to our house the other evening because I smelled something burning and they all came and they checked it out thoroughly and it turned out to be the motor on the furnace which thank goodness if we hadn't found that then who knows what would have happened so I thank them. They did a thorough job and kept us informed the whole time.

Andy Kalb, 4343 Errun Ln. – I want to agree with Don Tobergte as far as the Tax Dept. goes. The additional employees that we keep hiring to help out and move the dept. forward need to have better background checks. They are dealing with peoples personal information, peoples social security numbers and that kind of stuff and they need people that have had background checks done and are reputable people, not just people that are pulled off the street or I'm sure it's not just people like that I mean they're probably well qualified I'm sure, but they need to have background checks and that stuff done because the are dealing with personal information including mine and everybody's up there.

Tom Rolfsen, 30 Clay St. – I have another comment about the library and this letter. I heard before, you were talking about maybe a multiple use for the building, according to Kim, the question asked here it says, ‘how about building a two story with store fronts with a library upstairs. Her reply was, ‘we would not be willing to move to the second floor of a location so this would greatly reduce the visibility of the library and result in less usage so according to her that’s not even a possibility.

The second concern I have is, the headlines in the local Valley Paper saying that this Council has spent \$1 million more than it has taken in the first quarter. Is this projected to go the same way for the next three quarters?

Mrs. Brickweg – On the first thing that you said about the library, I’m not sure where that letter came from or what the date of that letter is, but I know that Al Kanters told us that he talked to library and we’re discussing working that out with them because there is a library in Bond Hill that is doing the same thing. I’m not sure, that’s just what we were told by our Economic Developer that he is working it out with them. I’m not sure what the looks of that is, I guess I’ll get back with him and ask him that question again.

Tom Rolfsen, 30 Clay St. – This was written on 1/18 and it does mention that the City recently hired an Economic Development Consultant and so it’s mentioned in there so it is recent.

Mrs. Brickweg – All I’m telling you is what the Economic Developer told us and I do know that the bond for the library is done just like that. Where the shopping center where they also have some retail and he just said he was going to try to work something out with them so maybe it’s not a possibility but I will recheck with him on that.

Tom Rolfsen, 30 Clay St. – Is there comment about spending a million more than taken in this quarter?

Mrs. Bedinghaus – I am also concerned, I will tell you that I expressed tonight in a meeting I was at, the Finance Committee that I am concerned about the expense that we have. I believe 1 million dollars, correct me if I’m wrong Walt, 1 million dollars is what we put into the CIC for property acquisition. I do know that that is being reinvested for property acquisition. I am concerned about all the extra spending that has been going on in the first quarter so I agree with you Tom, we really do need to watch it.

Tom Rolfsen, 30 Clay St. - One last question, is there a citizen, can a citizen of St. Bernard get a list of all the houses or the property that is owned by both the City and the CIC? Is that available to the public?

Mrs. Brickweg – Could he have a copy of the list that we were all given? I think it was Walt Moeller put a list in all of our boxes so if maybe Gerry could ask him if he could have that list. I’m not sure if it was totally up to date but it looked pretty good to me.

Tom Rolfsen, 30 Clay St. – OK I’ll get with Gerry.

Mr. Tobergte – Mr. Rolfsen, there was a list that Walt created that ultimately Hamilton County Auditor's Dept. made a copy. I have a copy at home, I'll get it to you.

Mr. Chatman – This is a question, it's not an indictment on anybody or anything like that, a couple of weeks ago I made comment and I think we all agreed to contact the owner of the old Kentucky Fried Chicken business to see about painting over the graffiti and I think we all agreed in principle to do that but we agreed who would contact them, so I think the question is does anyone know if that contact has been made and if it has not been made, if it's appropriate for me to do so I would like to get the contact information and call them.

Mr. Wiedmann – (Inaudible comments).

Mr. Chatman – Thank you, that is outstanding.

Mr. Zix – Could I add on that same problem on how the front of that place is damaged, has been damaged since they have had it so I think that is one of the main things also on that property.

Mrs. Brickweg – The next COW meeting will be April 24th a 7:30.

Mr. Walden – At this time following up on the prior motion, we will go into Executive Session.

Mr. Walden – The April 17th, 2008 meeting of the St. Bernard City Council is back in order. Council was in Executive Session discussing the possible purchase of property.

Mr. Tobergte – I forgot something. A couple of things I would like to bring up. One, would they hire these part time people? I'm concerned about liability with Workmen's Comp Insurance and stuff like that. Is there anyway we could make sure people are paying all that? Another thing, on the budget, the swimming pool was done, the drain pipes are in the pool floor, we added to the budget \$15,000. The actually price was like \$10,800 something like that. I'm wondering, do we take that money back to the General Fund? Do we leave it sit there, I would prefer to take it back to the General Fund if it's just going to sit there. In my opinion, we're going to find a way to spend it.

Mr. Zix – Yes, right now it will sit there and the reason it will sit there is because it was requested and I don't know if there is something else in there that they're going to do.

Mr. Tobergte – The \$50,000 for pool repair and now it's totally done.

Mr. Zix – I would want to ask Ray that just so we know. I don't care where we put it, you know, if you want to send it back, but you know that's the operating budget. Until the dept. head, I would recommend that until the dept. head, it's up to the entire Council but until the dept. head decides to put back that would be the best thing to do.

Mrs. Bedinghaus – If we leave it in there, where it is and really he cannot spend anything in that line item because we can deny that because it was for the floor of the swimming pool. Is that correct?

Mr. Tobergte – The actual line item was like for the main or something like that, it was \$15,000 in there and it made the total like \$20,000 or something like that.

Mr. Burkhardt – The other thing was the equipment maintenance so you might want to wait until the pool gets up and running because if you lose floaters or something like that you don't want them coming back here for more money after you just put it all in the General Fund. With the pool, at that point you would get the full line item. It would be crazy to put it in the General Fund and then end up later for them to come back here asking for more money. You're going to have to approve that anyway and you'll see that. It will be a little tough to keep sending money back and then keep reappropriating it because then your appropriations are really going to look out of whack at the end of the year if you think they look bad now. They'll look worse.

Ms. Hausfeld – That was my point. I was going to say that, I'm glad you said it because, the pool isn't even open or up running yet and working down there that one summer, there's always things that are going haywire that they have replace some stuff so I would like to wait and see till after the pool season. Then look at what's left in that line item and then put it back.

Mr. Tobergte – I'm assuming Mr. Strotman will be at the next meeting, the COW meeting.

Mr. Burkhardt – No, I'll answer any questions that have to do with Mr. Strotman. He is my appointee. If you have any problems with my appointee, you can ask me.

Mr. Tobergte – Then I'll ask you now, I guess.

Mr. Burkhardt – OK.

Mr Tobergte – Where's he going to get the \$715. to pay for the director's shirts and jackets?

Mr. Burkhardt – He's already split that through another line item. He's already talked to Walt about it. I'm not sure what line item it was, but they did correct that situation. That line item was in there I guess four years ago when he was in, he had that line item, and he thought it was still there and that's the reason he put that line item down. It's not there anymore, it was eliminated at some point so he just readjusted it to, I'm not sure what line item but I'll find out but it was for clothing for the shirts and wind breakers for the Rec. people and for the assistants and for Paul. What it does, it makes them more visible, so when they go down to a game, if there is a problem, they know they're Rec. people.

Mr. Tobergte – I have a problem with that

Unknown voice

Mr. Burkhardt – The budget next year.

Mr. Tobergte – It was not in the budget this year but they just spent it anyway so to me he should be on top of his budget and looking at his budget not just spending money willy nilly.

Mr. Burkhardt – I'll talk to him about that.

Mr. Zix – We should look into buying jackets for all of Council.

Mrs. Brickweg – I just want to make sure with everybody, it appears like I have one thing on the agenda for the COW and I wanted to make sure I didn't miss anything. It was to discuss Marge Neisen's idea on the housing project. Does anybody else have anything else they would like on the agenda?

Mr. Zix – Yes, we'll have the pay increases on the agenda and maybe a little something about the bond financing if I could just say that in my report, we won't have any detail but the pay increases will be there for preparation for an ordinance.

Mrs. Brickweg – Thank you, and that would be for the summer?

Mr. Zix – For the non-contractual, yes, all the non-contractual so that would be the Chiefs also I believe.

Mr. Burkhardt – We're working on the Chiefs, me and Rodney and hopefully we'll get that information to you and Gerry. Also, Don if I'm not mistaken, if I remember correctly, he did take that out of incidentals, he has an incidental line item that he took that out of and you know as far as whether it's in there or not as long as he doesn't go over his budget, I think he's OK.

Mr. Zix – Just one more thing. We did send out, the Finance Committee did send out the proposal for the Administration Dept. heads to submit their budget for 2009 so we'll be looking at that and most likely Council will have a Council review in mid to late May.

Mr. Tobergte – I guess since this is the last Council meeting of April, have we made a decision on Centennial Hall yet?

Mr. Burkhardt – No, at this time we're still working on some things we're just now beginning to empty out the room up here. We just now got everything cleared out of the room downstairs. We're going to start moving storage that Eddie's using in the office up here down there and we're looking at some storage that also is in downstairs, one of the offices moving into that room and so we're probably going to need a little bit more time just to kind of see where that leads us as far as office space. I'll get back to you.

Mr. Zix – I have one more thing, can I make a motion to adjourn.

Mrs. Brickweg – I'll second that.

Council agreed 7-0.