

**ST. BERNARD CITY COUNCIL MEETING
MAY 1, 2008**

The regular meeting of the St. Bernard City Council was held Thursday, May 1, 2008 in Council Chambers.

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

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

Mrs. Brickweg – I make a motion that we accept the minutes from the COW meeting.

Ms. Hausfeld – I'll second that.

Mr. Walden – I think at this point we were simply voting on whether or not the minutes from the meeting should be read.

Mrs. Brickweg – Oh, OK, I'm sorry.

Mr. Meier made a motion to dispense with the reading of the minutes. Ms. Hausfeld seconded the motion. Council agreed 6-0.

Mrs. Bedinghaus – On the COW minutes I would like to suggest that Sue Kathman take the tape and make the minutes of the COW meeting. I would like to make that motion if I could.

Mr. Walden – We have a motion for Mrs. Kathman to transcribe the minutes of the COW. Is there a second?

There being no second, the motion does not carry. Are there any errors or corrections to the minutes?

Mrs. Bedinghaus – I still have some corrections that I will get to Peggy by Monday.

Mr. Walden – With those corrections the minutes are approved as corrected.

Mrs. Brickweg – After Cindi gets me the corrections, I would like to send them back out to everybody to read to make sure that they agree with the corrections in there because I did get some corrections this week from Greg that he wanted me to take out some statements that I made and since I made the statements I don't have any problem. I would not have a problem with what other people want if they have something in there that they said, that's fine, I just want everybody to see what the corrections are just like I do with everybody else so I'll send those back out.

Mr. Walden – Perhaps what may be best, if I could suggest this, if there is work to be done yet on the minutes, they could be discussed at COW and be approved at that time if that meets with Council's approval.

Mrs. Brickweg – That would be fine with me.

Mr. Peck – Do you need a motion on that?

Motion by Mr. Peck, seconded by Mrs. Bedinghaus to further discuss the COW minutes at the next COW meeting.

Mrs. Brickweg – I would still like to ask Cindi to give me her corrections so I can have them all up to date.

Mrs. Bedinghaus – I'll get them to you.

The motion to further discuss the COW minutes at the next COW meeting passed. 6-0.

REPORTS OF CITY OFFICIALS

MAYOR, Mr. Burkhardt – This Saturday, May 3rd, 2008, starting at 5:00 P.M. down at St. Bernard pavilion, will be the 1st Annual Michael Daniel Weidner Corn Hole Tournament. There is a link on our website to it, so if anybody is interested, it is this Saturday.

Also, Saturday, May 10th we will be open from 10:00 to 1:00, and Saturday, May 17th is Clean Up St. Bernard Day. Everyone will meet at City Hall at 10:00a.m.

AUDITOR, Mr. St. Clair – The April Auditor's reports are prepared for tonight's meeting. The receipts report was also distributed to Council.

Expenditures for the month of April: \$ 718,255.29

Expenditures for the year through April 30th: \$ 4,413,745.84

The Ordinance that was discussed at the last COW for amending section 159.03 of the codified ordinances dealing with the bonding of City employees is not ready for tonight's meeting. Hopefully it will be ready for the next Council meeting.

For those of you tracking expenditures, four months have passed with eight months to go. If you multiply the year-to-date expenditure of each line item in the Auditor's report by 2, you can compare it to the balance remaining in the line item to see if the City is over or under budget for a particular line item for the next 8 months or two thirds of the year.

DIRECTOR OF LAW, Mrs. Kate Bedinghaus – Absent.

TREASURER, Mr. Sipe – Receipts for the month of April: \$1,034,880.02

Receipts for the year through April 30th: \$3,772,731.56

SAFETY DIRECTOR, Mr. Chatman – The St. Bernard Fire Dept. conducted training classes in April on Emergency Medical Technician Refresher in Confined Spaces. This resulted in 11 training sessions that were conducted with each fire dept. member receiving 21 hours of instruction.

SERVICE DIRECTOR, Mr. Schrand – I would like to update Council on the Spring Grove Ave. project.

JMA is continuing to work with MSD & their contractor to close out their sewer separation project. There are a number of items (including as-built drawings and video inspection reports) that MSD still needs to complete or provide to the City in order to be in compliance with our requirements.

The anticipated time line for our part of the project is as follows:

We will advertise for bids on May 12th and 19th. We will open the bids on May 28th, award the project around June 6th. Construction should start in late June or the first week in July. Completion is expected in September. Estimated construction cost is around \$800,000.

The City of St. Bernard was successful in securing a 50% grant for this project from the Ohio Public Works Commission.

Our engineers have been coordinating the design of this project over the past year with Procter and Gamble's consultants.

All these dates are tentative, but they should be pretty close.

TAX COMMISSIONER, Mr. Geiser – I would just like to report to Council that we have now set up a computer in the Treasurer's Office so we can get more work done. I want to thank Ray Schrand and Stevie Tempel. They got the storage from Centennial Hall cleaned out. We're not using that as a tax storage. They set up some shelving so we were able to move all our storage out of the old Treasurer's Office which had become a storage bin and it is now downstairs and it is all organized by year so it looks really nice. I want to thank also Walt Moeller. He was able to locate some new computers at a very good deal. One of the computers in our office was running so slow that our weekend staff was complaining because they couldn't get anything done. They were very old, but now we've got some new computers and again I want to thank Walt Moeller. He came in after hours and has been working to get these things installed, running wires and he did an outstanding job. He's not only an asset to City Hall but to the tax dept. He's been really great in helping us get things done.

I've had some inquiries about the rules and regulations of the tax office, and the Tax Commissioner. In addition to the Tax Ordinance, this Ordinance requires the Tax Commissioner to create rules and regulations and it was not out on the website and in fact when I took office it took me a while to find what the current rules were. I notice Marge is here tonight. She had them printed up in a booklet form many years ago but those are obviously out dated and I finally found what I think is the most up to date version.

Unfortunately they were not anywhere on a computer so I couldn't update them. So, again I had to turn to Walt Moeller. He was able to scan them and they are thirty seven pages long and they need some updates to them. I'm in the process of trying to reformat them and eventually I will get them out onto the website. I don't know why they weren't in the computer, maybe they were on the laptop that was destroyed or taken away because I'm missing a lot of records from 2006, 2007. We're getting it up and I've had some inquiries about it. I will get it up as soon as possible because people want to know what the rules and regulations are which is valid, but it will be on the website. The Tax Ordinance is on the website. We'll get the rules out there as soon as I can get to it.

There was a question at the last Council meeting about getting background checks on the individuals helping me in my office. I didn't comment at the time because I didn't feel that it was necessary but I just wanted to report to Council who all the individuals are who are helping us. Obviously, we've had Jane Pierman in here who has been doing taxes for 30 plus years. Her

assistant Shannon Helmer who has been working there for some 8 years is just outstanding on the computer. Janet Cromer, she has worked in various tax offices. She is retired from Harrison. And she is helping out at various offices around town and they are extremely sharp, very knowledgeable. As far as the additional help, I was able to bring in, we've got Kathy Groh who does the books at St. Clement is helping. Mary Beth Hausfeld who does the books at Roger Bacon has been working on weekends. Kelly McCullough who is a senior accountant with the firm she's with and Kathy Anello who has been helping out with data entry. Again, if anybody has any questions about them, I didn't feel we needed background checks. They're all local people and most of you know them.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Zix – Absent.

SAFETY, Ms. Hausfeld – No report.

SERVICE, Mr. Tobergte – The service department report for April 2008 is as follows: There were 30 trucks and 21 dumpsters placed at residences along with 125 special pickups, 225 tons of garbage were taken to the landfill. There was 18 tons of recycling material, 8 tons of cardboard, 9070 pounds of scrap metal along with 22 appliances. The City received \$1377.20 for recycling in March 2008.

PUBLIC IMPROVEMENTS, Mr. Meier – Before the meeting this evening, the Public Improvements Committee did meet. Bob Sawtell came to discuss some ideas with the “You Can Do It Better in St. Bernard”. The general idea would be that we would, Council would put together a resolution. We could work on this next week at COW to bring it before Council two weeks from tonight. This would be a summer long program Memorial Day weekend going through Labor Day weekend. Mr. Sawtell is going to talk to the businesses to try to get them involved in the Chamber of Commerce to participate on how by utilizing those businesses people can do things better. We'll also approach some other businesses to see if they would donate goods or services so people that were participating in this, we could have, periodically we could have monthly drawings and at the end of this we could have some drawings as well. We will also be seeing if we can put together a couple events more or less for where people can come like a, I don't want to say a Lunch n Learn, but maybe somebody could learn something about home improvements or maybe we could get the police or fire involved on how people can get safety, some gardeners involved on how you can do gardening better, those types of things that could help people out. I'd like to put this on the agenda for the COW next Thursday to discuss again and if anybody has any questions or anything please feel free to contact myself, Marge Niesen will be very involved with this. Mr. Sawtell will be very happy for any assistance from anybody.

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

BUSINESS AND INDUSTRY, Mrs. Brickweg – On Monday, April 26th the Cognis Community Advisory Panel Group was invited to tour the Hamilton County Emergency Operations Center. The goal of the tour was to show the

members the resources the county has obtained through Home Land Security Grants and explain what it is used for. We were able to tour the training rooms, media rooms, 911 Call Center for the police and fire and view a slide show showing equipment, how and what it is used for and plans for the future. They went over a practice drill that was done at the Great American Ball Park in 2006 and showed how all the departments between counties worked together with all the equipment and each other. They discussed what would happen if there was ever an incident at Cognis Chemical and how they would handle it and work with our emergency personnel. We also were presented with ways a lot of the equipment could be used, not only in the case of a terrorist attack but also with natural disasters. I was very impressed with the facility and all the equipment they have to keep us all safe.

On Tuesday, April 27th I attended the quarterly Hamilton County First Suburbs meeting. I was nominated and accepted to be on the Executive Board of the First Suburbs. They meet once a month to discuss municipalities' issues. I hope to gain a lot of information that I can use to benefit the City of St. Bernard.

HIGHWAYS AND TRANSPORTATION, Mrs. Bedinghaus – Gerry Wiedmann and I attended the annual OKI luncheon last Thursday, April 24th. The Lieutenant Governor was the guest speaker. He emphasized the unique opportunity that we have in this region with Ohio, Kentucky and Indiana coming together to work competitively and cooperatively. In this day and age there is a need for regions to come together for the benefit of the whole. This region is the heartland of the country and we can't afford to stand still. We have to be the leader and realizing the rich resources of Ohio, Kentucky and Indiana to move forward in the most efficient, cost effective manner. This surely rang true for our City in trying to revitalize and build our town back to notoriety.

I would also like to apologize to the citizens for not keeping them informed about the start of the medical bus, but I was unaware of the start date. In my report a couple of months ago I updated the citizens on the increase in the Dial-A-Ride hours and at that time indicated that the start date for the medical bus was still undecided as there were still some logistics that needed to be worked out by the Mayor prior to getting the service in operation. He was looking at the start date to be around the 1st of May but at the time there was not an official date. I happened to find out this Sunday from one of the Dial-A-Ride dispatchers that the medical bus is starting this Thursday, May 1st and will be available on Tuesdays and Thursdays from 8:00a.m. until 4:30p.m. at the cost of \$10.00 round trip. At the same time I was made aware of the discount cards that are available to the citizens who purchase 30 rides. The Seniors price would be \$12.00 for 30 rides and for the rest of the citizens the cost would be \$27.00 for 30 rides. This comes to a discount of ten cents per ride. As the chair of the Highways and Transportation Committee, I had previously asked to be kept in the loop of any communication about the Dial-A-Ride. I would appreciate it if I could be kept in that loop from now on.

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

COMMITTEE OF THE WHOLE APRIL 24, 2008

NEW OR REFERRED ITEMS:

1. Council approved the minutes of the April 17th council meeting.
2. Council discussed having Attorney Paul Berninger meet with council in Executive Session to go over his opinion of the proposed contract with the Fire Department. Peggy Brickweg stated that she was not in favor of this for a few reasons. First reason being she believes it is not the role of council members to request attorneys and whose budget will this come from since council does not have a budget. Peggy also stated that she has been against using Paul Berninger for many years based on his record with the city. Peggy explained that Mayor Burkhardt informed council that he is having the contract looked at by attorney John McClure and that it is the job of the Mayor, Safety Director and City Attorney to negotiate contracts and that by council asking for additional legal counsel she believes that most likely could be an unfair labor practice. Greg Zix stated that he did not feel council had been kept up to date with the contract negotiations.

Cindi Bedinghaus stated that she thinks Peggy is biased and should not be allowed to participate with anything dealing with the Fire Department. Peggy stated that she knows both the Ohio Revised Code and Ohio Ethics Laws regarding what she can and cannot do. She is not allowed to vote on this contract for two reasons. The first being the health care portion of the contract will personally give her a benefit and secondly since her husband is on the contract negotiations team she is not allowed to vote on it. According to the information Peggy has from the Ohio Ethics Commission this does not keep her from attending any meetings.

Greg Zix also stated he feels Peggy is biased. He stated that Peggy replied to an e-mail Walt St. Clair sent out to council and the administration saying "Walt made her ill" and this shows she cannot disassociate herself from the topic. Peggy then stated that she did send that e-mail and she signed it "from the wife of a firefighter", she stated that she was not sending it in her role as a council person and that was the reason she signed it that way to show the difference. Peggy also stated that the e-mail from Walt was sent the day the coroner's report came out regarding the causes of death of the two Colerain Fire Fighters that died in the line of duty. Peggy stated that in the e-mail Greg was referring to Walt stated that one cannot compare the hourly rates of the Fire Department to other department; he said in no other department can you sleep for 1/3rd of the time on duty. Peggy also said that in the e-mail she sent to Walt she wrote "maybe these two Fire Fighters should have stayed sleeping".

Cindi asked for the city to obtain a legal opinion from the Ohio Board of Ethics regarding Peggy and other council members sitting in Executive Session. Patty Hausfeld stated that her brothers are fire fighters but that she does not benefit from that and that she should be allowed to participate with the contract. Walt St. Clair informed council that he called the Ohio Board of Ethics earlier in the week to ask if Peggy was permitted to sit in on Executive Session regarding discussion of the Fire Department contract and he was told yes she can and that the only time there would be a problem is if she tries to persuade anyone how to vote.

Patty also asked why she had not received an answer from the Finance Committee regarding who requested Paul Berninger attend the meeting and how it would be paid for. Greg Zix stated he chose not to return the e-mail from Patty. Don Tobergte stated that he did return Patty's e-mail. Greg did state that he had contacted Cindi and asked if she agreed to call in Paul Berninger. As Chair of the Finance Committee, Greg informed Don Tobergte that the Finance Committee would not be meeting since it only takes a simple majority vote of the Finance Committee to make that decision. Greg and Cindi both stated that they want to get as much information as they can regarding the contract to make an informed decision. The City Attorney, Kate Bedinghaus, explained that she did make the request to call in Paul Berninger after talking with the Finance Committee and

that he would be paid out of her line item. Kate stated she was not comfortable handling the contract negotiations and that she was not included in on some negotiating meetings. Council voted 4-2 (Peggy and Patty voting no) to go into Executive Session with Paul Berninger.

Rodney Chatman, the Safety Director asked to comment later in the meeting regarding how he felt the Mayor and himself seemed to be portrayed by some council members. Rodney stated that he whole heartedly disagrees with having Paul Berninger meeting with council in Executive Session and he disagrees with the impression that the administration did not know what they were doing during negotiations. He stated that the Law Director, Kate Bedinghaus, was never kept from any negotiating meeting and that he felt council was kept very informed of the negotiations. Rodney also stated that the contract was negotiated in good faith and when they had a contract proposal ready for council to vote on and the vote appeared to be close, the opposition to the contract came up with another obstacle for the administration to face.

3. Kevin Meier requested that council go into Executive Session at the end of the meeting to discuss the purchase of property. Council voted 6-0 in favor.

REPORTS OF ADMINISTRATIVE OFFICIALS:

Mayor, Bill Burkhardt: absent

Auditor, Walt St. Clair: Walt asked council for an ordinance to be put on the table for the next council meeting regarding amending city ordinance 159.03 in reference to who the city is required to carry bonds for. He asked the ordinance to include only the City Auditor and Treasurer. The city has blanket coverage for all other employees for \$100,000 per occurrence. Council voted 6-0 in favor of the ordinance.

Walt informed council that the city's current bond council, Peck-Schaffer, is reviewing the city's situation and will report back what type of notes and bonds they would recommend for the city in regards to financing the revitalization of St. Bernard.

Law Director, Kate Bedinghaus: no report

Safety Director, Rodney Chatman: no report

Service Director, Ray Schrand: Ray reported that the city pool has been emptied, repaired, cleaned and will be ready to open Memorial Weekend. Ray also informed council that he received notice that the price for using the land fill will be going up \$2.00 a ton.

Tax Commissioner, Ed Geiser: absent

Treasurer, Jamie Sipe: no report

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REPORTS OF STANDING COMMITTEES:

Laws, Contracts and & Claims, Mike Peck: absent

Public Improvements, Kevin Meier: Kevin asked Marge Niesen to speak about her idea for "You Can Do It Better In St. Bernard". The purpose is to encourage residents, businesses, property owners, schools, churches and all of St. Bernard employees to enter this program and participate in improving their property. Categories might be Landscaping, Exterior Improvement, Interior Improvement, or a combination. The Business Chamber is strongly in favor of this initiative. She suggested that council write up a Resolution setting up the program. The Public Improvement Committee will meet Thursday, May 1st at 6:30 PM to discuss the program and resolution.

Business & Industry, Peggy Brickweg: Peggy asked for an update regarding Bertus Street Park and the Chalet-Heger Park basketball courts. Ray explained that he is currently investigating tearing down the shelter house, digging out the pool, re-paving and putting in diagonal parking spaces at Bertus Street Park. He said that when he gets some money totals he will report back to council since there is not money in the budget for any work to be done at Bertus Street Park. Ray also said that he is still working on repairing the drainage problem at the basketball courts at the Chalet-Heger Park.

Safety, Patty Hausfeld: no report

Highways & Transportation, Cindi Bedinghaus: Cindi reported that she and Gerry Weidmann attended the annual OKI luncheon where Lieutenant Governor Lee Fisher spoke about how Ohio, Kentucky and Indiana need to work together.

Service, Don Tobergte: no report

Finance, Greg Zix: Greg reported that his committee met to discuss non-contractual raises and changes requested from Mayor Burkhardt. The committee is recommending 3% increases for all non-contractual positions with 10% increases for the jobs of grass cutters and laborers in the Service Department, since the Service Department is having a hard time keeping employees in these positions. Greg also reported that Department Heads will be returning their budget proposals by May 6th and that the committee will review these and start preparing the budget due to Hamilton County this July.

Audience Participation: none

Ordinances and Resolutions for the next council meeting:

1. Ordinance amending Ord. 159.03
2. Ordinance for non-contractual employees

Next Council Meeting: May 1st.7:30 P.M.

Next COW Meeting: May 15, 7:30 P.M.

Respectfully submitted,

Peggy Brickweg,
President of Council Pro-Tem

COMMUNICATIONS – None.

RESOLUTIONS AND ORDINANCES

Motion by Mr. Meier, seconded by Mrs. Brickweg to read this evening's Resolutions and Ordinances by title only. Motion passed 6-0.

The second reading of 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 Mr. Tobergte, seconded by Ms. Hausfeld to suspend with the third reading of Ordinance No. 14, 2008. Motion fails 5-1. Mr. Meier voting no.

Mr. Geiser – We need six votes to suspend, a ¾ majority.

Mr. Walden - That is correct, we need ¾ of the majority. I appreciate your help on that Mr. Geiser. We will have the third reading at the next Council meeting of Ordinance No. 14, 2008. If there is anyone that has any comments either on Council or the audience, certainly we can allow those at this time.

REMARKS

John Metz, 4419 Kemper Ave. – While I'm in favor of this going forward I think we're correct in withholding it for the final reading after we told the citizens your we're going to do it. I'm glad you weren't able to pass that, I just wanted to commend you on that. We told people we were going to do full readings and that's what we should do.

Mr. Walden – Ordinance No. 14, 2008 will continue on its regular course.

ORDINANCE NO. 20, 2008. AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF ST. BERNARD, OHIO, AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Peck to suspend with the second and third reading of Ordinance No. 20, 2008.

REMARKS

Mrs. Brickweg – I think we're a little confused up here. I don't recall this being discussed at the COW meeting. Could someone explain what this is?

Mr. Walden – Would the sponsor of this Ordinance like to address that? Is there anyone that can address that?

Walt Moeller – I believe that Ordinance is the one we pass every year that is a general cover all that updates the Walter Drane ordinances to get it in place. I believe probably Kate was the one that submitted that because we do that every year and what it does is just bring it up to current codes and ordinances. I believe that's what it is, I'm not sure but it sounds like the one we passed last year about this time.

Mr. Peck – I didn't quite hear, was it Kate, the Law Director who brought this up last week? Is that what he said?

Ms. Hausfeld – Yes, I think we should put this on hold until we know exactly what it is and which ordinances that we're talking about.

Mr. Walden – The motion that is on the table is to suspend with the second and third reading, certainly if Council votes that down then the Ordinance will take its regular course.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to withdraw the motion to suspend with the second and third reading of Ordinance No. 20, 2008. Motion passed 6-0.

Motion by Mr. Tobergte, seconded by Ms. Hausfeld to refer Ordinance No. 20, 2008 back to COW for discussion. Motion passed 6-0.

ORDINANCE NO. 21, 2008. FIXING THE 2008 COMPENSATION OF PART-TIME EMPLOYEES OF THE CITY OF ST. BERNARD HIRED PRIOR TO 1/1/2005 AND CERTAIN APPOINTED OFFICIALS, AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to suspend with the second and third reading of Ordinance No. 21, 2008. Motion passed 6-0.

Motion by Mrs. Brickweg, seconded by Mr. Meier to adopt Ordinance 21, 2008 as read. Motion passed 6-0.

Mr. Burkhardt – Before you read Ordinance No. 22, 2008, I would like to ask Council at this time to amend Ordinance No. 22, 2008 as follows: Under the Service Dept. Laborers and Grass Cutters; 1st season, to be paid \$9.82, 2nd season, to be paid \$10.82, and 3rd season to be paid \$11.82. Motion by Mr. Meier to amend Ordinance No. 22, 2008 to read under the Service Dept., for laborers and grass cutters; 1st yr. \$9.82 per hour, 2nd yr. \$10.82 per hour, and the 3rd yr. \$11.82 per hour.

Mr. Tobergte – I would like to make a motion to table Ordinance No. 22, 2008, there is a problem with the health dept. raise and also I talked to Mr. Wiedmann on Tuesday morning, Mr. Mike Wiedmann, and I had come up with a different formula for paying a few people.

Mrs. Bedinghaus – I'll second that.

Mr. Peck – I'll second Mr. Meier's motion.

Mr. Walden – The motion to table would supersede the motion, if I'm correct Mr. Geiser, help me if I'm not, the motion to table I believe would supersede the motion to amend.

Mr. Geiser – You're really testing me here, it's been a while.

Mr. Burkhardt – Donny, what's with the health dept.?

Mr. Tobergte – According to the Ordinance No. 1, 2007, they're making \$6.13, the Health Dept. Clerk, and that's up to \$7.06, I thought it was only a 3% raise?

Mr. Burkhardt – Oh, OK.

Mr. Tobergte – And on the Service Dept., I talked to Mr. Wiedmann. I thought that instead of giving a raise like this for everybody that we would develop a formula where the budget has things like \$45,000.00 in it I'm not mistaken and Mr. Wiedmann decides the way you're going to pay laborers,

the way you're going to pay the grass cutters and the other people that are working for him.

Mr. Walden – I have found the guide to ranking motions. A motion to lay on the table does outrank a motion to amend so the motion to table the Ordinance would supersede the Ordinance to amend. Are there any comments on the motion to table.

Mrs. Brickweg – Mike, you can say no if you would like but I don't know if you would like to say, if you've already figured it out.

Mike Wiedmann – The conversation I had with Mr. Tobergte, he was saying that, the gist of what he said is true. We were discussing possibly separating it out a little more instead of just laborers and grass cutters. We could break it down to two different types of people in the Service Dept. and two different types even more. We discussed the possibility of breaking it down further and when I talked to Mr. Tobergte I said I'll do whatever it takes to get these guys the money they deserve which is as I feel what's written out is ridiculous and you guys, the people on the Finance Committee know how we feel and how the dept. feels about it. I really wasn't happy with what came up last week at COW. I told Mr. Tobergte that I will do anything I can to get these people what they deserve and that's where we're at and if you guys want to come to me, come to Raymond, Mr. Schrand, I'm sorry to my representatives, come talk to us, we'll talk to you guys, we have facts, figures from many cities, many grass cutting, landscaping organizations. We have facts, figures if you guys want to see what everybody makes, we got lots of facts and figures. Feel free to come talk to us and we'll help you out as best we can.

Ms. Hausfeld – Mr. Wiedmann stay there for a minute. For the vote tonight, are you pretty much saying that it should be more than what Kevin?

Mr. Wiedmann – No, we were perfectly fine with what Kevin and the mayor had suggested and we were led to believe, well we weren't led to believe, we were told that it would be around there and in the last meeting it was lowered again so we don't know what happened in between. That's why we're concerned. As I stated twice before these people deserve a little bit more than \$8.00 per hour and we've already lost one fellow because he can go make more working any where else and doing a lot less physical, a lot less dangerous work. We're just trying, again, just trying to get these people what they deserve.

Mrs. Bedinghaus – I'd like to make a comment on that because I am part of the Finance Committee. At the Finance Committee it was brought to the committee that they get paid \$9.82 and that was the proposal by the Mayor which was 1 ½ times the minimum wage. We discussed it then and Mike you were there and you know that we discussed that seemed a little high. We were looking at 1 ½ times and what kind of rationale was that compared to what other ones were making as grass cutters. We did look at the tier level from last year and the highest tier level for year three was \$9.25, I believe, and so I had made a comment that that might be our starting point and at the time you did say that you needed to go back and take something back to the guys to let them know, even though you knew that was going to

be a couple weeks and we did say, and Don was there too, that we probably could agree to around \$9.25. Coming back to the meeting last week, I had done some calculations. The 1 ½ times actually ended up being, that was the \$9.82, ended up being 31.5% raise. Don had gone out to do some research on other areas with grass cutting and gave me those figures and so that's where the 10% came up and I took it back to the Finance Committee and that's where we developed those raises from. Now, I was going to ask you too, could we separate grass cutters and the laborers? Can they be hired to do one or the other?

Mike Wiedmann – As it stands now, Councilwoman Bedinghaus, we have, you have to be 18 to work on the back of the packer and 16 to cut grass. The way it's structured now, basically everybody floats around and we fill what needs to be done and it's more reactionary than set jobs everyday. Say we have somebody call in sick or a part-timer not come in, we have to fill a slot and that's how it works. There's probably a half dozen set jobs down there and the rest are rotation. Today we're going to black top, tomorrow we're painting curbs, tomorrow you're going to help the grass cutter, weed eat, it's just rotation, there's really no set thing. You can try, but some times we have to move around and that's what we're saying.

Mrs. Bedinghaus – Mike, I don't disagree with you that when they are on the back of the truck and are doing a harder labor, that \$8.25 is probably too low but for the grass cutting I was looking at that on the opposite side and I needed to think a little bit too much for that, for the going wage for that. Having those combined was a little bit difficult for me to come up with \$9.82 with a 31.5% raise was equitable and that's why I came up with the figures that I did at a 10% raise. I'm not trying to discount that these individuals don't deserve more money. Not at all.

Mike Wiedmann – Again, ask anyone, come talk to us, our doors are always open, feel free.

Mrs. Brickweg – I would like to ask the Mayor or Mike could answer this. With the numbers that Kevin just read and the idea that Don had, could that kind of work together? Do you think, Don has his idea of a number that I guess he would basically want the Service Dept. to spend with these numbers and with the amount of employees, do you think it would be kind of close to kind of working? I'm just saying so maybe we can get this passed and it might agree with everybody. Are these numbers wedged?

Mr. Burkhardt – The amount of money you're talking about can vary depending on the length of the season. If I have to run grass cutters longer into the season, we just don't know, that money, that's just a guesstimate. There's no, unless you want me to stick to it and let the grass grow, that's got to be totally up to Council. Keep in mind street cleaning, all the way out past the railroad tracks, they are doing a lot of things that this City needed to be done to make it look better and to tell you the truth I've had a lot of compliments on how the City is starting to look, a lot cleaner. I'd like to keep it that way so that's why I proposed what I proposed.

Mr. Meier – I would just like to make one comment on this. The idea of taking a pool of money and allowing any dept. to decide on how it's spent,

I'm opposed to that because that's taking a really, a responsibility that should be the Mayor's and giving it to somebody else, and Mike I'm not talking about you, people are constantly talking about, "good ole boy system", and political appointees and stuff and I think that if we set the wages for the jobs, that takes any politics out of it. As far as letting one person decide who is going to make how much and for how long I guess I'm opposed to that. I think these numbers were the numbers that I think everybody was happy with and I would prefer to see the numbers in the budget like this so we know exactly what the jobs are paying so that just to take out any ambiguity over what somebody is making and why they're making it. I'd feel much more comfortable if the wage was attached to the job so that there's not even any hint that what somebody is making is because of the person.

Mrs. Brickweg – I have a question, I'm hoping somebody can answer. I honestly do not know what minimum wage is.

Mr. Sipe – I can answer that. Minimum wage in the State of Ohio is \$7.00 per hour for anyone over the age of 17. If you are under the age of 17 it's \$5.85 per hour which is what the federal minimum wage is but the federal minimum is going up to \$6.55 as of July 24th and I'm not sure if the Ohio minimum wage will go up at that time also.

The motion to table Ordinance No. 22, 2008 did not carry. 4 nays, 2 ayes. Mr. Tobergte and Mrs. Bedinghaus voting aye.

Mr. Walden – We are back to the motion to amend Ordinance No. 22, 2008. Is there any further discussion on the motion to amend Ordinance No. 22, 2008?

Mr. Burkhardt – One other thing that Kevin said, 1st yr, 2nd yr, 3rd yr, I'd like it to read, 1st season, 2nd season, and 3rd season so there's no distinguishing between, hey you haven't been here a full year yet. These kids should be paid according to how many seasons they've been here.

Mr. Tobergte – Are we also going to amend the Health Dept. Clerk too, since it looks like it's a mathematical error?

Mr. Burkhardt – Ordinance No. 3, 2007 reads \$6.85 so it's probably going to be fairly close isn't it?

Mr. Tobergte – The Ordinance I had read \$6.13.

Mr. Burkhardt – Ordinance No. 3, 2007 is \$6.85.

Mr. Tobergte – I'm going by the Ordinance Greg gave me, so.

Mr. Burkhardt – OK, but this is the latest and greatest so I would think that would be correct.

Mrs. Brickweg – The Ordinance that you are holding up, is that the one from last year?

Mr. Burkhardt – Yes, it's Ordinance No. 3, 2007.

Mrs. Brickweg – And that's the one we voted on and approved and that was at \$6.85?

Mr. Burkhardt – Yes, it was \$6.85.

Mr. Walden – Anything further on the motion to amend Ordinance No. 22, 2008? Mrs. Kathman could you please call the roll on the motion to amend Ordinance No. 22, 2008 as specified by Mr. Meier?

Motion to amend passed 6-0.

Motion by Mr. Meier, seconded by Mrs. Brickweg to amend amended Ordinance No. 22, 2008 to read 1st season, 2nd season, 3rd season instead of 1st yr. 2nd yr. 3rd yr. as Mr. Meier specified. Motion passed 6-0.

Mr. Walden – Has there been a motion to suspend with the second and third reading of Ordinance No. 22, 2008?

Mr. Burkhardt – I think you're going to have to read it the first time yet.

Mr. Walden – We will have to reread as amended. Mrs. Kathman will reread the titles.

ORDINANCE NO. 22, 2008. FIXING THE COMPENSATION OF THOSE PART-TIME EMPLOYEES OF THE CITY OF ST. BERNARD FOR THE YEAR 2008 WHO'S FIRST DATE OF SERVICE IN THE POSITION IS AFTER 1/1/2005 AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to suspend with the second and third reading of Ordinance No. 22, 2008 as amended. Motion passed 6-0.

Motion by Mrs. Brickweg, seconded by Mr. Meier to adopt Ordinance No. 22, 2008 as amended. Motion passed 6-0.

ORDINANCE NO. 23, 2008. FIXING THE COMPENSATION OF THOSE PART-TIME EMPLOYEES OF THE CITY OF ST. BERANRD FOR THE YEAR 2008 WHO'S FIRST DATE OF SERVICE IN THE POSITION IS AFTER 1/1/2005 AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 23, 2008.

REMARKS

Mr. Sipe – I have a comment. Within that Ordinance it had Section 1, it says, "The rate of compensation for 2008 to be paid to the following part-time employees is fixed as follows, unless Federal or State law requires otherwise." Some of these numbers are below what the State minimum wage are and are going to get changed anyway, I don't know if you need to

have that in the Ordinance now, it says it but just for clarification of what those people are actually going to get paid.

Mr. St. Clair – I don't think we want to get specific on that because as Mr. Sipe mentioned about the minimum wage, it does depend upon the age of the person and that can change while this Ordinance is in effect, so I think if you just leave it as a general requirement that we follow the State and Federal minimum wage laws, we won't have to worry about coming back to Council to amend an Ordinance to increase somebody because their age changed.

Motion to suspend passed 6-0.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to adopt Ordinance No. 23, 2008 as read. Motion passed 6-0.

OLD BUSINESS

Mr. Burkhardt – I would just like to inform Council that I should be receiving the final wording on the Fire Dept. contract either Friday or this coming Monday. As soon as I do I will get it to everyone on Council and hopefully we'll be able to discuss it in Executive Session at the next COW.

Mrs. Brickweg – I would like to say happy birthday to Patty.

Mrs. Bedinghaus – I just have a couple for Eddie. Eddie were you able to get any estimation of time frame that it would take to put that back log of work into the system with the part- time that you have now?

Mr. Geiser – I had Jane in here over the weekend and I asked her that question. She was asked to come to Council last week but I had to cancel because of some other issues, she never gave me a definitive answer but she said it's going to take a long time. That's about the best she could give me right now. I can come up with more proposals, I figure at least, at least a year as it is right now but if you would like her to come next week and maybe she can give you a better answer with the new computers and additional help we got rather than just three computers and one very old one. We got an additional computer now that will help get the work in. It's hard to predict, it really is, right now we haven't been able to touch the old stuff yet. We're just working on 2007.

Mrs. Bedinghaus – I don't remember who it was, but somebody asked if we could have a report of an estimated earned taxing, taxes for the City for this year. Do you remember?

Mr. Geiser – I don't remember if anybody asked me that. I gave a report a couple of weeks ago. I can give you an updated report. I can show you what we've brought in so far. I can give you a report for that.

Mrs. Bedinghaus – OK. That would be great.

NEW BUSINESS

Mr. Tobergte – With the construction season getting into full swing, I would like to see if as a City contractor is finishing their work, the residents affected could be notified so they can give some feedback on the work done. Last year there was a problem with speed bumps in a driveway in the old sub but the contractor was already paid, so there was not much that could be done to rectify the situation. Also at the corner of Langley and Mitchell, the handicap curb cut was not blacktopped. I talked to Ray about Langley Ave. where they did the handicapped cut for the sidewalk, the blacktop was never replaced, stuff like that. I was wondering if we could do something like that, Call Command, just to let people know when the contractor is done, that way the contractor's done, he gets paid and nothing else can be done.

Ms. Hausfeld – Ray, I actually didn't get to talk to you today about it but I did have a couple citizens down at the St. Bernard Square, we have, it's our parking lot, correct?

Mr. Schrand – Yes.

Ms. Hausfeld – Those flower beds that are inside the parking lot, not only do they say that they look really bad, but there are some that are missing concrete and apparently they have been missing concrete for a while now, even before you, so they just brought it to my attention to make sure that something got done with that, fixed up.

Mr. Schrand – Elaine Sipe has been on me for the last two weeks about that.

Ms. Hausfeld – I promise you she is not the one that commented to me. I had a couple of other customers that said something to me today.

Mr. Schrand – They are on the list, Patty.

Mrs. Brickweg – I did want to thank the Service Dept. They came and replaced a flag in our neighborhood right away when I called and they took care of the dead tree that was catching the flag. I also wanted to see if it could be put on the agenda, our street, because it's concrete its starting, last year it was some pieces, it's starting to lose a lot of pieces and they did start the repairs of the curbs last year and did a really good job but there's still a few more and a few residents had asked me if they can just be looked at again.

Mr. Schrand – Yes, I think Mike's got curbs and stuff on the schedule, don't you Mike.

Mike Wiedmann – Yes.

Mr. Schrand – I thought he did, he told me that today.

Ms. Hausfeld – Ray, this is for you again, I'm sorry. Also there are some lights, I had some citizens say there are some lights out there at Jefferson and Greenlee and also at the alleyway behind, is that still Franklin Alley still all the way down to Greenlee? There is like one light out back there and they said it's very dark when they go back there to their cars and stuff. Just to let you know.

Mr. Schrand – I get a letter once a month from the Police Dept., they do keep a record of, Billy Ungruhe is extremely good at that, he faxes CG&E that every month, the lights that are out in town. It's just a matter of when they get the time to get to it. The people are, if you have a light out, please call CG&E, they can do as much as I can do. That's all you can really do is report it to Cinergy or to Duke, I'm sorry.

AUDIENCE WISHING TO ADDRESS COUNCIL

Mike Wiedmann, 20 Oak St. – I just want to thank every Council member up there and Mayor Burkhardt for giving these kids the money they deserve.

Marge Niesen – Mr. Sawtell was going to be here tonight but could not do so to let you know that the Chamber of Commerce is being reactivated and it's going to get behind this "You Can Do It Better In St. Bernard" philosophy. They're going to start out by having an invitation to businesses to come to an open house at the First Safety Bank to be held May 6 through 8, a Tues., Wed., and Thurs. for business folks here in St. Bernard to come and get together on ideas for how St. Bernard can be better from the business standpoint. In particular, they want each person to come on those dates and we're going to do a mailer to everyone. Actually to bring their business cards and their ideas with the idea that they will let the community know what services they have to provide to make not only the community look better, but to do a better job themselves. You'll be hearing more about that. There will also be mailers going out to the homes so that people can take advantage of the initiative to everybody make their own place look better in St. Bernard whether it's just a few flowers or paint up, fix up or whatever. And as Kevin said there will be folks here to help answer questions, hopefully to people who are not technically minded but who really know something needs to be done and just need a little help and we're glad to work together. Clubs and Organizations will be offering incentives also and all that information will be passed out so that everyone has it by Memorial Day.

Mrs. Brickweg – Mrs. Niesen, I was just wondering if, did you say it was going to be on May 6, 7 & 8? Is it open house?

Marge Niesen – An open house at First Safety Bank for business folks.

Mrs. Brickweg – Is it all during the day?

Marge Niesen – Yes, it's during the day, during office hours.

Mr. Meier – When Bob was here we discussed that a little, maybe just holding off on that just a little bit and then getting a little bit more specific on the time and the dates so he is going to get something together and get it out to the businesses. We just thought that if we had it all day on three different days it would be hard to get everybody in one place at one time. I think he is going to make some modifications to that but they are going to do that.

Marge Niesen – Well this was my information from Mr. Sawtell so I'm glad he revised it and looked for more information.

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

Mrs. Brickweg – The next COW meeting will be May 8th at 7:30 and just so I have everything on here, I have four items for the agenda. The first one being approving the minutes of the 4-24-08 COW meeting with the changes that have been made, next is to discuss the Resolution for the “You Can Do It Better In St. Bernard”, discuss Ordinance No. 20, 2008 concerning the Walter Drane update and the possibility of going into Executive Session to discuss the Fire Dept. contract. If anybody wants to add anything else just please let me know.

Motion by Mr. Tobergte, seconded by Mrs. Brickweg to adjourn. Motion passed 7-0.