

**ST. BERNARD CITY COUNCIL MEETING
DECEMBER 18, 2008**

The regular meeting of the St. Bernard City Council was held Thursday, December 18, 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 all members were present: Mr. Tobergte, Mr. Peck, Mrs. Bedinghaus, Mrs. Brickweg, Ms. Hausfeld, Mr. Meier and Mr. Zix.

Mr. Walden – On behalf of City Council and the City of St. Bernard I would like to wish everyone a Merry Christmas and a Happy New Year this evening.

At this time we're going to turn the meeting over to the Safety Director, Mr. Rodney Chatman who is going to honor St. Bernard's Crossing Guards.

Mr. Chatman – When I worked as a Police Officer here in the City of St. Bernard I did a lot of work with the children of the community and it is one of the things that I have always been passionate about. The other thing I've been passionate about is others who share the same passion. What I've found to be consistent with that has been our Crossing Guards who very often don't get thanked for the work that they do. But it is a very valuable service that they provide to our community and to our kids. One of the things that I will share with you as an officer, it would happen several times a year that you would hear a news story about attempted abductions of children from bus stops. Every time that would happen, and as I mentioned it would be about two or three times a year, every time it happens, it would never happen in St. Bernard. We've had some close incidents, we had one in Elmwood, we had one in Avondale, we had one in Carthage, but never here. I attribute that to all of the eyes that we have on our kids as they are coming to and from school and in particular the Crossing Guards. That is a passion of mine. I do feel that they need to be recognized for the work that they do and I have several of them here. I'm going to ask them to come to the podium behind me. I would like all of the Crossing Guards to come up to this podium and the Mayor would you please help me with that. When I first had brought this idea to the Mayor and told him what I would like to do he was strongly in favor of it and we did issue a proclamation which I would like to read for you right now. The proclamation says:

WHEREAS it is the responsibility of the Safety Director, on behalf of the Mayor of the City of St. Bernard, Ohio, to recognize occasions of outstanding significance; and

WHEREAS the City of St. Bernard is proud and fortunate to have among its own such outstanding and first class individuals, school crossing guards; and

WHEREAS School crossing guards must possess a deep sense of dedication and responsibility to brave extreme weather conditions and often encounter dangerous situations while diligently performing their duties to ensure a safe journey to and from school in St. Bernard; and

WHEREAS they also play an integral role in the community, working hard to protect our children and helping to reinforce the lessons learned at home about looking both ways before crossing the street, as well as other essential traffic safety rules; and

WHEREAS crossing guards also help to deter crime by acting as an extra set of eyes for the City of St. Bernard Police Department, to observe and report suspicious activities; and

WHEREAS they also act as a reminder to motorists to be aware of children walking to and from school and to be especially cautious when driving in and around school zones. Motorists need to understand the necessity of following traffic directions given by crossing guards and to recognize that by doing so roadway safety can be improved for both pedestrians and motorists; and

WHEREAS congratulations to the crossing guards who are being honored for their dedicated and exemplary service. We owe each of you a debt of gratitude and our heartfelt appreciation for the valuable service you provide to the community.

NOW THEREFORE, I, Rodney Chatman, Safety Director, on behalf of Mayor William C. Burkhardt and the City of St. Bernard, Ohio do hereby proclaim December 18, 2008 as

“CROSSING GUARD DAY”

in the City of St. Bernard and do hereby convey sincere thanks, admiration and best wishes for each and every citizen of St. Bernard.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal to be affixed this eighteenth day of December in the year of Our Lord, Two Thousand and Eight.

Rodney Chatman
Safety Director

Mr. Chatman – While I make my way shaking your hands I’m going to have the Mayor, if he would be so kind, to pass out the individual awards to our crossing guards.

Certificates of appreciation were then presented to:

Faith Martin – Carl Ronnenberg – Theresa Byrd – Joan Ronnenberg – Barbara Walton – Eileen Shuster – Shirley Wilson – Betty Rush – Phyllis Roeckers – Dorothy Middendorf – Clare Tempel – Karen Dye – Sandy Endres.

Mr. Chatman – Thank you for the big round of applause, they really do deserve that. I will leave the proclamation so everyone can see it.

Mr. Chatman – Mr. President thank you for the time for allowing me to do this.

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

REPORTS OF CITY OFFICIALS

MAYOR, Mr. Burkhardt – I would just like to remind all the citizens of the St. Bernard Christmas celebration this Saturday, December 20 from 6:00p.m. to 8:00p.m. It will be held at the St. Bernard Eagles upper level along with the train display which is given by the Queen City Hi-Railers which will be in the main level of the Municipal Bldg. In between the two buildings will be ice sculpture demonstrations by Artic Diamond Inc. Christmas carols will be provided by St. Clement and St. Bernard Elementary students from 7:00p.m. till 8:00p.m. The train schedule is Friday, December 19th from 6:00 p.m. till 8:30 p.m. and Saturday, December 20th from 2:00p.m. till 9:00p.m. and Sunday, December 21st from 12:00 noon till 5:00p.m. There will be special treat bags for the kids, Dial-A-Ride tours of the City's best Christmas decorations and Santa and the Coca Cola Bear will be riding around before then in a golf cart so look for those. I'd also like to take this opportunity to wish all the residents of St. Bernard a Merry Christmas and a Happy New Year.

AUDITOR, Mr. St. Clair – I'll echo the Mayor's words and wish everyone a Merry Christmas and a Happy New Year.

The month of November reports for the City's investments and for the balances in our various bank accounts have been given to each Council member and the Treasurer.

Before Council tonight are Ordinance Nos. 66 & 67, 2008. Ordinance No. 66 provides for the transfer of \$150,000 from the General Fund Cash Account to the Employee Health Plan Fund Cash Account. Ordinance No. 66 also provides for additional appropriations and appropriation adjustments, most of which were discussed at the COW. Due to the number of line items involved, I will forego giving each specific dollar amount. Additional appropriations are to: Income Tax Refunds, Firemen Wages, Fire Dept. Equipment Maintenance, Firemen Pensions, Health Dept. Vaccine Program, Service Dept. Overtime, City Hall Utilities, and Medical Expenses in all Departments. Appropriation adjustments provide increases to: Auditor's Bureau of Inspection, County Collection Fees, Tax Dept. Incidentals, Law Director Stationery, Civil Service Medical Exams and Entry Tests, Police Clerk's Wages, Crossing Guards, Fire Dept. Stationery and Printing, Service Dept. Equipment Maintenance, Gas Well Monitoring, Health Department Professional Meetings, and Health Dept. Incidentals, corresponding depreciation decreases are to: Auditor's GAAP Reporting & Incidentals, Tax Stationery, Court Expenses, Civil Service Physiological Testing, Police Dispatchers, Ambulance Supplies, Garage Building Maintenance, Service Dept. Professional Services, Health Dept. Equipment and State Fees. Ordinance No. 67 Provides for an amendment that lowers the Compensation of the Service Director position.

DIRECTOR OF LAW, Mrs. Kate Bedinghaus – Absent.

TREASURER, Mr. Sipe – Welcome to all who came to the Open House this evening. We've had a big year in the City. The Administration has done a

great job with handling the many jobs in the City this year while keeping the financial well being of the citizens in mind. The income of the City is on the rise and maintaining the services, responsibilities and the overall care of the City as a whole has always been the first concern. Next years budget has been the major topic of discussion in the past many months, but rest assured the City's revenue, investments and reserve are being monitored closely. On a more personal note, I hope everyone has a Merry Christmas and a safe New Years celebration.

SAFETY DIRECTOR, Mr. Chatman – Good evening once again and Happy Holidays to everyone. Earlier in the year I solicited input for interest in the “Citizens on Patrol”. After several meetings I solicited input via email and phone messages and I did not get any feed back so I put that issue to rest. Since that time, several people had reminded me of personal conversations that they had with me expressing interest and I have received several phone calls of interest in “Citizens on Patrol” and both “Neighborhood Block Watch”. What I'm going to do is, I believe in the second meeting that we have in January and I will have a date available, I think that is January 9th or the 8th, just prior to that meeting I am going to ask everyone who is interested in either of these programs or would just like to participate in an effort of that nature to meet just prior to our meeting. I would ask that that meeting be at 6:45p.m. and I can meet everyone in the lobby and we can discuss the interest that is held by the citizens of St. Bernard and what our next step would be if sufficient interest is there.

SERVICE DIRECTOR, Mr. Schrand – I would like to take this opportunity to wish everyone a Merry Christmas and Happy New Year. All I have is a couple of housekeeping issues. I would like to remind everyone that Christmas day is a holiday with no trash collection. Anyone who has their trash picked up on Thursday will have it picked up on Wednesday next week. This is the same the following week for New Years Day. You will receive this information on Call Command again next week. Also as of this Friday the leafer will no longer pick up leaves in the gutter. Please bag your leaves until next year.

TAX COMMISSIONER, Mr. Geiser – I gave each member of Council an annual comparison chart showing the income we brought in so far. Since this is the last Council meeting of the year we did exceed the ten million mark which is the highest we've ever brought in so far. If that's a status or a mark achieved we did hit the ten million dollar income. I also gave everyone a copy of Ordinance No. 35, 1991, I will explain that, why I gave that to you when the Ordinance No. 68 comes up for consideration. I would also like to remind those who did not respond to the letters we sent out, for those people who have not brought their 2007 taxes to please do so. In prior years, as I stated at the last meeting, for those individuals who have earlier years, not 2007, but any earlier years, we are able to wave the penalties at this time and many people have been taking advantage of that and I would encourage anybody that has not filed since we started mandatory filing in 2004 to come forward and get those taxes in because you can save on a lot of penalties.

Before Council tonight is Ordinance No. 68, 2008, it is just what I discussed at COW. It has five changes to the tax ordinance, I will explain this in a little more detail when the Ordinance is before Council.

I would also like to wish everyone a very Merry Christmas and a Happy New Year and the last thing in my report, since this is the last meeting of the year. I want to thank Ray Schrand for the service he has done this past year. I had the honor of working with Ray when he first started here seventeen years ago and its been a long time but he's done an excellent job and since this is his last meeting I wanted to thank him and commend him for the service he has done for the City.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Zix – I have no report but I would like to wish the citizens a Happy Holliday and a Prosperous New Year.

SAFETY, Ms. Hausfeld – I also have no report but I also want to wish everybody a safe and Happy Holiday, not only Christmas but New Year's coming up. I know everybody is going to be out there partying, just remember to be smart about it and you can always call for a ride if you need one.

SERVICE, Mr. Tobergte – I would also like to wish everyone a Merry Christmas and a Happy New Year. I would like to thank Ray Schrand for his years of service to our community and Phil has some big shoes to fill.

PUBLIC IMPROVEMENTS, Mr. Meier – First of all I would like to wish everybody a very Merry Christmas and a very Happy New Year. I'd also like to report that this past week the St. Clement Christmas Program was recorded by ICRC. We've done that the last couple of years. The replay schedule on that will be on Christmas Eve at 8:00p.m. That will be on channel 24 which is also available in Cincinnati and some other areas. On Christmas Day at 10:00a.m. and 9:00p.m., Dec. 26th at 6:30p.m., Dec. 27th at 8:00a.m. and Dec. 28th at 4:00p.m. Starting on the 31st on New Years Eve you can go to icrc.tv and you'll be able to get a streaming video of that and if somebody wants to get a DVD copy of that there is some information here. I'll provide this to Elaine so that she can put it on the City website so if anybody wants to get that information. I know its always a big deal for the kids to be able to see themselves on TV and grandparents and aunts and uncles to see them, it's a big deal to them.

Also after the first of the year I will be scheduling a Public Improvements Committee Meeting and the thing I would like to discuss, everybody knows that one of the major problems not only in our community but in other communities, are the foreclosed and abandoned and vacant properties. One of the ideas or one of the issues with them is that these properties are being purchased by investors. Minimal work is being done on them and then they're being turned around and put into rentals. Anyhow there is an idea that has been brought up that perhaps that we could look into an Ordinance that any property that had been abandoned or vacant or foreclosed on, perhaps there would be room for an Ordinance where that property would have to be inspected for Code violations and public health issues like mold, prior to being occupied again. I don't know if that's available, if that's doable or not. I would like to see Gerry and Walt and if our Committee is after we get back, if we could all get together and talk about that and see if that is workable. I think that if we can do that it would be at an advantage to

your dept. and to everybody else to give us some leverage to making sure that repair to these properties is done correctly.

LAWS, CONTRACTS AND CLAIMS, Mr. Peck – No report, and Merry Christmas and have a Happy New Year.

BUSINESS AND INDUSTRY, Mrs. Brickweg – At last week’s Committee of the Whole meeting Cindi Bedinghaus mentioned two articles from early December that were in the Cincinnati Enquirer regarding area schools and the amount of air emissions coming from smokestacks of refineries or chemical plants located near the schools. It listed St. Bernard-Elmwood Place schools as having very high emissions when compared to other schools in the country. It stated that Elmwood Place Elementary School ranked 196th in the USA Today analysis. The article stated that the primary source of the pollution for the Elmwood Place School was from PMC Specialties Group, a plastics manufacturer located in St. Bernard and that contact members from the plant did not return their phone calls. What the article did not state, and what we on Council and the Administration want the public to know, is that PMC is no longer producing chemicals at their St. Bernard facility. They closed that part of their facility down a couple of years ago. To date PMC Specialties Group is only using their building to store chemicals, so there are no air emissions coming from there.

I also would like to give an update on the City’s progress regarding working with Graeter’s to build their new manufacturing plant on the NuMaid property. Al Kanters’ reported at last night’s CIC meeting that the City is still working with Graeter’s and is waiting to hear back from them in regards to the number of employees, amount of machinery, etc. they will have at a new facility. That way the City can make an accurate offer to Graeter’s regarding the property. When I receive more information I will report it. As I end my report I want to wish everyone a Merry Christmas and a Happy New Year.

HIGHWAYS AND TRANSPORTATION, Mrs. Bedinghaus – I have no report but I just want to wish all the citizens a very Happy Holiday Season and a safe Holiday Season and Ray thanks for your service to the City of St. Bernard.

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

COMMITTEE OF THE WHOLE DECEMBER 11, 2008

NEW OR REFERRED ITEMS:

1. Approved the minutes of the December 4th council meeting.

REPORTS OF ADMINISTRATIVE OFFICIALS:

Mayor, Bill Burkhardt:

1. Bill announced that City Hall will be open this weekend from 10:00 AM till 1:00 PM
2. Bill announced that there will be an Open House at City Hall December 18th starting at 6:45 PM with refreshments provided.
3. Bill announced that the City’s Christmas Celebration will take place December 20th from 6:00 PM to 8:00 PM at the Eagles. There will also be a train display in the Municipal Building.

4. Bill announced the new City Hall phone system will be in soon and that council should let Walt Moeller know if they still want a city voice mail number.
5. Bill thanked Mike Weidman and Walt Moeller for all their hard work in preparing the FEMA paper work for reimbursement from the hurricane damage. St. Bernard will be receiving \$70,000.00 from FEMA.
6. Bill informed council that an Arborist will be coming for residents to pay \$25.00 for him to look at any trees they feel may be damaged from the wind storm.

Auditor, Walt St. Clair: Walt asked for the following appropriations to be on the table at the next council meeting: (council voted in favor 7 to 0)

Appropriation Adjustments:

1. \$1,721.09 GAAP and \$1,228.50 from Auditor Dept. stationary to \$2,343.53 Bureau of Inspection and \$606.06 County Collections Fees
2. \$47.00 from Tax Court Expenses to Tax Stationary
3. \$495.25 from Civil Service Psychological Tests to \$185.25 Civil Service Medical Exams and \$310.00 Entry Tests
4. \$1,028.57 from Police Dispatchers to \$28.57 Police Clerk and \$1,000.00 Crossing Guards.

Additional Appropriations:

1. \$10,000.00 to Fire Fighter Wages
2. \$36,254.70 to Fire Dept. Maintenance
3. \$18,306.76 Fire Fighter Pension
4. \$947.50 Health Dept. Vaccine Program
5. \$5,000.00 Service Dept. Overtime
6. \$595.85 City Hall Utilities
7. \$27,000.00 Tax Refunds

Transfer Cash:

1. \$150,000.00 from General Fund to \$50,000.00 Service Dept. Employee Health, \$40,000.00 Police Dept. Employee Health and \$60,000.00 Fire Dept. Employee Health

Law Director, Kate Bedinghaus: absent

Safety Director, Rodney Chatman:

1. Rodney reminded council that he will be recognizing the City's crossing guards before next week's council meeting.
2. Rodney asked that council go into Executive Session at the end of the meeting to discuss collective bargaining with Fire Union 450. (Council voted 7-0 in favor.)

Service Director, Ray Schrand: no report

Tax Commissioner, Ed Geiser:

1. Ed announced that the earned revenue for 2008 is already ahead of last year with two weeks still left. As to date the City has earned revenue of \$8,851,684.00.
2. Ed provided council with changes that he and the Tax Review Board be made to the City's Tax Code. Council voted 7-0 in favor of having an ordinance on the table for the next council meeting.

Treasurer, Jamie Sipe: no report

REPORTS OF STANDING COMMITTEES:

Laws, Contracts and & Claims, Mike Peck: Mike asked Rodney if he knew more about an e-mail David Pepper sent out regarding the 911 fees. Rodney said he will learn more and report back to council.

Public Improvements, Kevin Meier: no report

Business & Industry, Peggy Brickweg:

1. Peggy reported that she would be forwarding an e-mail to Gerry and Al regarding possible new funding for infrastructure projects. She received the e-mail from the First Suburbs and they are looking to compile a list of “shovel-ready” projects. They want to have a list ready because they feel there might be some catalysts for some massive federal expenditure coming in the near future to help stimulate the economy.
2. Peggy reported that a resident gave her the suggestion that the city should purchase a St. Bernard Dog costume for people to wear at various St. Bernard events. One of the suggestions from last weeks Main Street Program was to use the dog, and she thinks this is a great idea. Bill will have Elaine look into purchasing a costume.

Safety, Patty Hausfeld: Patty asked the administration to look into placing a street sign for the Miami/Erie Canal Road (the entrance to Ross Park) which Clay Street runs off on. She was informed from her nephew that GPS devices do not list Clay Street because it does not connect to any roads. The administration will look into this.

Highways & Transportation, Cindi Bedinghaus: Cindi reported that the articles in the Enquirer regarding schools and emissions were incorrect regarding St. Bernard. The article listed PMC’s emissions and they no longer produce in St. Bernard. It was agreed that Peggy will give a report at the next council meeting regarding the incorrect information.

Service, Don Tobergte:

1. Don stated that council review the material regarding City Managers after the first of the year.
2. Don suggested that we freeze the salary of the Service Director for next year since Ray Schrand will be retiring and Phil Stegman will be replacing him. Council voted 7-0 to place an ordinance on the table for the next council meeting.

Finance, Greg Zix: no report

Ordinances and Resolutions for the next council meeting:

1. Adjustment and additional appropriations
2. Changes to tax ordinance
3. Amend pay percentage of Service Director starting pay

Next Council Meeting: December 18th 7:30 P.M.

Next C.O.W. Meeting: January 15th 7:30 P.M.

Respectfully submitted,
 Peggy Brickweg,
 President of Council Pro-Tem

COMMUNICATIONS

12/6/08

Dear Mayor Burkhardt,

Please pass along my kudos and huge THANK YOU to all of the reliable employees of the Service Dept. for the wonderful job they did today clearing our streets of snow and ice. Because I work on Saturdays I was required to be on the roads. I work second shift, thus I was on the roads immediately after the majority of the precipitation occurred. St. Bernard was one of the few communities that had Vine Street almost completely clear.

I just returned home from work at about 1:00AM. From Hartwell all the way to St. Bernard, Vine Street was a white-knuckle treacherous sheet of ice tonight. As soon as I reached St. Bernard, Vine Street was clear and easily drivable and I felt that I was safe again. Would you please tell all of the hard working members of the Service Dept. that I, for one, recognize how important their work is to citizens' safety. I am sure they do not hear this often enough; we GREATLY appreciate their dedicated service.

Sincerely,
Kathy Monahan

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to receive and file the communication and send a copy to the Service Dept. Motion passed 7-0.

RESOLUTIONS AND ORDINANCES

Motion by Mrs. Brickweg, seconded by Mr. Tobergte to read this evening's Resolutions and Ordinances by title only. Motion passed 7-0.

ORDINANCE NO. 65, 2008. ORDINANCE AMENDING THE CITY OF ST. BERNARD SCATTERED SITE URBAN RENEWAL PLAN OF 1994 AS ESTABLISHED BY ORDINANCE NO. 37, 1994, AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mr. Meier to suspend with the second and third reading of Ordinance No. 65, 2008. Motion passed 7-0.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to adopt Ordinance No. 65, 2008 as read. Motion passed 7-0.

ORDINANCE NO. 66, 2008. AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS, PROVIDE ADDITIONAL APPROPRIATIONS AND DECREASE CERTAIN APPROPRIATIONS AND ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to suspend with the second and third reading of Ordinance No. 66, 2008. Motion passed 7-0.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to adopt Ordinance No. 66, 2008 as read. Motion passed 7-0.

ORDINANCE NO. 67, 2008. AMENDING SECTION 159.19, COMPENSATION OF ELECTED AND APPOINTED OFFICIALS, IN ST. BERNARD CODIFIED ORDINANCES CHAPTER 159, EMPLOYMENT PROVISIONS, AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 67, 2008.

REMARKS

Mr. Tobergte – A couple of things, one I asked for this Ordinance because it is my belief that when somebody leaves that the person coming into that job shouldn't get a raise right away, it should be at the same rate. If we were to freeze the Service Director's pay at the same rate that Ray is getting now, but also, I don't know if it's too late, but I'd like to make a motion to amend this Ordinance by deleting the Commissioner of Streets from this Ordinance since there is no such job any more. There is no reason for that to be there.

A motion by Mr. Tobergte, seconded by Mrs. Brickweg to delete any reference to the Commissioner of Streets from Ordinance No. 67, 2008. The motion passed 7-0.

Mr. St. Clair – Are you closing the remarks on the Ordinance?

Mr. Walden – No, I will certainly come back and invite more remarks.

AMENDED ORDINANCE NO. 67, 2008. AMENDING SECTION 159.19, COMPENSATION OF ELECTED AND APPOINTED OFFICIALS, IN ST. BERNARD CODIFIED ORDINANCES CHAPTER 159, EMPLOYMENT PROVISIONS, AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 67, 2008 as amended.

REMARKS

Mr. St. Clair – First off, I don't think this is a very good Ordinance. The Service Director position is tied by a percentage to the salaries of Hamilton County Commissioners. The argument is that the new Service Director is getting a raise on his first day in office. I think that that argument is somewhat misleading. Say for instance a firefighter was promoted to Captain effective the first of January, he would get the percentage increase that would have went into effect in the Fire. Dept. contract on the first of January. Similarly with a Council member, when they come into office January 1st, they get the percentage increase that went into effect for that position. So it's tied to the position, it's not really tied to whether the person is new or experienced or inexperienced. He's going to be doing the same job as the person that's leaving the office.

Secondly, I don't think its right to single out one position for such a wage adjustment. I think it throws things out of balance. The Service Director has significant authority and responsibility in the City and to just single that person out to lower their percentage I don't think is appropriate.

Thirdly, if this Ordinance passes, it actually puts the Service Director position at the 2007 level of pay. Since the percentage was lowered for 2008 and this Ordinance would do the same for 2009. I just do not think that this is a very good Ordinance and I think it should be voted down.

Mrs. Brickweg – I'll agree with you on one thing, yes it might not be a very good Ordinance and you're just worried about one position, I've spoken about it many times. I say everybody it should be. You should not come in and get a raise on your first day. You can call it anything you want, these are appointed and elected positions. These are not, I'm sorry, these are not Civil Service positions and I do look at that differently. Elected people, I've

already said that, I don't think that when somebody very first starts out on Council that he should get the same pay that somebody that's been on Council ten years. It's just not right. When you start a job, if I went and got a new job and the person that left was making \$50,000, I doubt that they're going to hire me at \$50,000. That's not the way it works in the real world. I'm all in favor of having them, if you want to say all over the place but base it on the job, and I thank Phil Stegman for finally being the first person to come in here and say, You're right, I don't deserve a raise on the first day. More power to the man for doing that and I'd like to thank him.

Ms. Hausfeld – I also agree with Peggy. You guys can look back earlier this year or even towards last year, there were a couple of us that fought for this before Steve took the position and I stick with Peggy on this one. There's certain things that, there's raises and there are things like when you first take office, no matter who it is, they should not come in making the same amount of pay as the person that is leaving and that have been on the job for a while.

Mr. St. Clair – I can understand what you're saying but the position doesn't change, the work doesn't change. It's the same work, it's the same position. I agree with Mrs. Brickweg and Ms. Hausfeld that the whole thing needs to be looked at. It may not be a good Ordinance because it's picking and choosing different things at different times. The whole thing probably needs to be looked at. If you want to put in steps for Council people and other elected and appointed positions, that's fine but I think it needs to be worked out that way and not just haphazardly. If you look at the first part of the Ordinance, we're amending one, two, three, four different Ordinances. I think it's getting to be somewhat cumbersome if every time somebody new takes a position, we're going to adjust that position. I think we're getting out of kilter. If you want to adjust the whole thing, I would be more than happy to have that done. I think if you want to pass this Ordinance, OK, then you look at it next year for in the future but I think this is throwing things further out of whack.

Mrs. Brickweg – I would like to make a suggestion that the Laws, Contracts & Claims put this in their committee and possibly look at it after the 1st of the year especially since it is going to be an election year. Granted some of the appointed positions wouldn't change but I've said this before and I'm going to say it again, I don't understand why we're even tied to the Hamilton County Commissioners to begin with. I think it was an easy way to do it, but we're comparing our raises with to them. They're County workers running an entire County. We're workers running a City of 5,000 people. Even though the percentage is smaller, I just don't agree with that so I'd like to make the suggestion that we put it in that committee to look at it.

Mr. Zix – I agree with Walt. I think we're voting, we should have said this last week. We should be thinking about the position instead of the person. These positions are somewhat hard to fill and I think we have to make them attractive. I always have said that. I think it would be more appropriate to put it in the Finance Committee pay Ordinance should be where it goes but whatever Council wants to do, that's fine with me but I will be voting against it.

Mr. Meier – I understand the position that Patty and Peggy are taking on this, I truly do, but in the Ordinance itself, in the second paragraph on it, it says that the idea, the formula, the index is to remove the effect of political influence and provide for inflation and deflation. And again on the second page, it's indexing the rate of pay established to the economic status of the City to the regional economy of Hamilton County and wellbeing of the State of Ohio. However we do it, I think right now we're not, we're exercising political influence by adjusting this because of an individual taking the position and I appreciate Phil's position that he doesn't want to take any pay increase on this but again, we should be looking at the position not at the person and what we're doing in making this amendment is contradictory to the Ordinance itself and the reasoning for it. I think we either have to come up with a way, which is what this Ordinance was trying to do is take the influence out of it, but what we're doing is exactly what this Ordinance was trying to prevent and that's picking and choosing and changing individuals position. So I can't in good conscience support this.

Ms. Hausfeld – I in no way, shape or form am looking at this position and saying a certain person is taking this position so therefore I want to do this. I took a stand last year before we knew who was actually going to be in the Tax Commissioner and I believe we did not know at the time who was going to be the Service Director, taking a stand at, no matter who it was. I don't care if it's the lowest man on the totem pole. First of all these positions get very high, now this is my feeling and I'm going to say it, how I feel, you guys know I do that, I believe these positions are very well paid for. I believe not only do they get great pay, they get great benefits along with that pay and I in no shape, way or form taking it against a certain individual. I don't care which position it is, you know, I don't think its right. A person coming in, and I stated this earlier this year or late last year, I don't think its right for a person coming in making, OK take you for instance Walt, I'm going to use you for an example, you've been on the job for how long now? Twelve years?

Mr. St. Clair – I'm in my ninth year.

Ms. Hausfeld – I'm sorry, nine years. Do you really think a person coming in should make what you're leaving at? I don't. It's not right, it's my opinion and no way, shape or form am I directing this towards a person individually or because of their political background or anything like that. It's the position that I'm looking at and I don't care what elected officials, what appointed positions, that's the way I feel towards all of them.

Mrs. Bedinghaus – I look at this Ordinance as a role position and not as personal position but I agree with Walt that this was kind of haphazardly done. I would like to look at it in the Finance Committee or which ever committee it really belongs in and look at it as a step payment and so somebody coming in does not have as much experience and it's looked at as a role and not a person but again they wouldn't be making what the person that has had that experience that has been in that role. I'm not particularly fond of the way that that does it with this Ordinance so I'll be voting "no" on this Ordinance and putting it in the Finance Committee so we can figure out a better process for this.

Mr. Sipe – If you're looking to do something like that you would have to set a base rate of 75% or whatever it is for the County Commissioners for I'll use this job since it went from 78 to 76% and then the second year he was in that position it would be at 76%, third year it would be 77% and so on and so forth where it would then increase, if you're talking about a step payment, and then at that point it had been 8 years, or I'm sorry, 3 more years, Bill would be voted out, someone else would be in, they appoint a new Service Director, they would automatically go back to 75%. That's the only way to start out if you're going to do some kind of step thing. But then you're going to have to make that in Ordinance form that year one is 75%, year two is 1% more or whatever it may be but at that point if the person's in there for 25 years their 100% so you might have to watch that too.

Mrs. Bedinghaus – At that point couldn't we make a cap within the Ordinance too? I agree, there has to be a different way, I'm not real fond of this way, I'd like to see what other ways just because I think it does single out one position. It doesn't single out a person to me, it singles a position. But I would like to have a better way of doing it.

Mr. Peck – I agree, if we're going to do a step system it's got to be a way from being tied to the Commissioner's pay and I think it would be something we could look at whether it be in the Laws, Contracts & Claims Committee or the Finance Committee. But it's got to be a comprehensive plan that looks at everything and I think just to pick out one position, that needs to be updated already, it's bad form to do it that way, but I agree, I won't be voting for this Ordinance.

Mrs. Brickweg – Just a couple of things. First of all it is tied to the Hamilton County Commissioners and just a big note, they're not having a good budget and they think they might take cuts so I hope everybody realizes that you're tied to this so if they take a cut, we take a cut which is totally fine with me. Secondly, if we're sitting here talking about a position, a Policeman is a Policeman, a Fireman is a Fireman and a Service Worker is a Service Worker but yet they have steps. Now politically appointed and elected positions don't have steps. That's kind of not right there to me and secondly you have somebody coming in here, he said he didn't want the raise. And yet we're going to say, Phil, we're going to go ahead and give it to you. That's fine and dandy, but then the taxpayers are thinking, wow, why don't you just give my money away because that is exactly what we are doing. This man stood up and said no you do the right thing. But yet we have no problem saying we'll just give you some extra money anyway even though you said you don't want it. I have a hard time looking at that even from a taxpayer. To me, I guess the best word is, it kind of stinks, when you look at it. You have these employees over here and these employees over here and we're not treating people the same. That's just my two cents worth but I just don't think it smells right.

Mr. Zix – Just to reply to that, I think the biggest difference is, we're offering political appointments a job for four years and we're offering hopefully for life for the Police and the Fire and Service Dept. I think that's the biggest difference. Number one, we try to make these jobs attractive in numbers so people will come to those jobs for three or four years. That's all they got guaranteed, four years. If they're lucky, they get another term.

That's the biggest difference. Again I think we're talking strictly to a line that was a position, not a person. The person did say he did not want the raise but the position, we're trying to keep it in alignment of where we're at and that's just my feeling.

Mr. Tobergte – Since I'm the one that first thought this up, I'm all in favor of the step program, but this is a first step to it I think, once he's in office, a minor thing, we can't lower or raise. He's totally getting the same raise for three or four years or whatever. I think we should pass the Ordinance because he says he doesn't want the raise. He'd give the money back if he got it, hopefully he'll stick to that because it sounds like this Ordinance isn't going to pass but yes I agree with the step program. I think we should pass this Ordinance and start the process now.

Mr. Burkhardt – The reason this Ordinance was brought up, I was on Council at the time, it was modeled after an Ordinance the same pay rate as I believe Sharonville. That's what this is modeled after, Sharonville. What we did was, we tried to take the politics out of pay raises for elected and appointed people so we tied them to the County Commissioners to allow that to happen. But if every time we're going to change this thing every time there's a change, what we tried to do is, say everybody up there on council gets voted out next time and they're mad and they pass an Ordinance cutting all these line items. What we're trying to do is take that out of there. Take the politics out of it. Let the County Commissioners, if they take a cut, we take a cut, OK, that's what this Ordinance was built for. But if they're going to get a raise we only get a percentage of that. If they get 3% we only get a percentage of that 3%. We don't get the whole 3%. That's what the percentages were built in there for because I believe at one point in time Council was so far behind because for like 10 years no one, even the appointed, ever got a raise. We built this to try to take the politics out of raises for the elected and appointed people, that's what it's built on. And it wasn't just randomly made. It was followed by Sharonville and I believe other cities did the same thing. It wasn't like we just picked it out of thin air. It was definitely modeled after someone that had done it for a while.

Phil Stegman, 19 Orchard – I guess first of all I would like to ask Walt when he had made the comment about it will take the salary back to 2007. My impression was that it was going to be the salary of 2008 that I would be resuming that position, but I heard you to say 2007 and I still stand here and tell you that I don't want a raise to take this job. I do want what the value of the job is now because like I say, this is not a big raise to me. I had 30 years in the position with maybe a couple of thousand dollars more but that's not the issue either. No I don't feel coming into this position I deserve the raise. I didn't think you guys would change the Hamilton County percentage though. I thought it was going to be an Ordinance to fix what it is today, where the Service Director would start out at January 1, leave the Hamilton County Commissioner's percentage, because that's what it was set up for to give all the appointed positions eliminating the political nightmare when people come in and out of office that that percentage does go in. If you want to change that however you want to change it, I still want what it is as of today. If you don't want to do the Hamilton County tonight that's fine. Put an Ordinance up on the table at the beginning of January 1 and that's the set rate of pay I'll take. I just wanted to give my two cents.

Mr. Tobergte – Phil, when we discussed this last Thursday, Walt suggested that the only thing we could do was to change the percentage of the Commissioner’s pay which was the pay rate that Ray is getting now. That’s what my understanding was that this was going to be. Am I wrong or correct?

Mr. St. Clair – That would be correct.

Ms. Hausfeld – So you’re saying it’s not a 2007 amount, correct?

Mr. Tobergte – It would be what Ray is getting paid right now.

Ms. Hausfeld – That’s what my understanding was.

Mr. St. Clair – Ray is getting paid at the 2007 rate because we reduced it at the beginning of last year. If Council remembers the last Ordinance of 2007, which did not pass to go by emergency, it set the Service Director’s rate at the 2007 level by reducing his and the Tax Commissioner’s percentage. But it did not go into affect until the 1st of the year. Mr. Geiser got the 2008 rate but Mr. Schrand did not because Mr. Asbach was the Service Director the first month of January.

Mrs. Brickweg – I just have one more thing. I don’t want to beat a dead horse but the more I’m thinking about it I just want to say that everybody, a lot of people up here are saying that this is just politics and you know what I’m going to agree, it is politics. The people in this Ordinance are appointed and elected officials who are pretty much giving ourselves good money. It is politics, its politics at it’s finest.

Mr. St. Clair – The elected and appointed officials do not have a union that represents them so who else is going to take care of it?

The motion for suspension of Ordinance No. 67, 2008 as amended failed. Mr. Peck, Mrs. Bedinghaus, Mr. Meier and Mr. Zix voted no.

ORDINANCE NO. 68, 2008. ORDINANCE AMENDING VARIOUS SECTIONS OF THE ST. BERNARD CODIFIED ORDINANCES – TITLE NINE – CHAPTER 181.03, 181.05, 181.10, 181.12, 181.15 AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mr. Peck to suspend with the second and third reading of Ordinance 68, 2008.

REMARKS

Mr. Geiser – I want to thank Council for addressing this Ordinance especially on the last Council meeting of the year. As I explained at the COW there are some very important changes in here that with the amount of work that I was working this past year I just never got around to finishing this and it came up at the end of the year and I wanted to get it done. I just wanted to briefly explain some of the changes to Council and those in the audience. You see in the Ordinance itself it lists five changes they are

summarized there in the WHEREAS that we discussed at the COW. I just want to briefly touch on them and explain why we're doing these changes.

1. I notice in the Ordinance that we had changes in Ordinance No. 46, 2005. For some reason the Ordinance was changed to limit filing requirements to residents only, it had been different prior to that Ordinance where businesses had to file if they had business activity. So what in effect what we're doing is we're changing it back to that. This is modeled after Sharonville's Ordinance which is very similar. This also is brought up in that fact that we have a lot of landlords in this town who do not have to file because this Ordinance doesn't require them to file. In putting this Ordinance together I found this Ordinance No. 35, 1991 that is also in front of you. What that Ordinance does, it basically says that you own landlord property and you gross rental income of \$3,600. per year, it's shows prima-facie evidence that you are running as a business. That was supposed to be put in the Ordinance back in 1991. It was not. It was put in the regulations. So its purpose was to not only correct an error it was also to add that particular type of language back in and it is really addressed toward the landlords of this town because most landlords do not show a profit so they don't have to file. You'll notice if you turn back to page 12 of the Ordinance at the very bottom, I showed the actual changes in bold. What I did is put that very same language in the Ordinance itself. It was in the regulations. I made one slight change. This is the same thing that Sharonville did where I found a lot of good changes. Our old Code set in 1991 said if you gross \$3,600. you had to file. Well the problem with that is a lot of people don't have their apartments rented for the full year. What Sharonville did is basically said now it's asking per month. That's prima-facie evidence so that has been added in there. You'll see that on page 12. Sharonville is actually \$250 but our Code says \$3,600 or \$300 per month. So in effect if you rent an apartment and you earn \$300 a month its prima-facie evidence that you were conducting it as a business. Now in light of that then the Code now states that businesses, if you conduct business activity or you are a resident of St. Bernard you have to file a tax return. That's on page 18. So I just added that language in there.
2. The second change was recommended by the Tax Board of Review. Our Code says penalties could only be 50% of the tax due. That just clarifies it that it only reflects those who have not paid their tax or had not remitted taxes.
3. Was to remove the County credit for paying taxes. We're probably one of the only communities still to give credit to the County. There are Counties around here that are taking out everything in Kentucky. I do want to point out one change on that particular Ordinance. If you turn to page 25, I wanted to show you, what you see on the top is what the Code looked like. In the bottom it was how it was amended. If you'll notice at the top, where it was before we amended it, it reads; credit for tax paid on other municipality or economic development district or county. The problem was the language for the economic development district was not in our Code even though we stated it in the title it was not in the Code. I talked with Gerry Wiedmann and also Al Kanters, and they felt it was important to put that language in there as Sharonville has it in there even though we had it in the title, it

4. This was recommended by the Tax Board of Review. I changed the tax penalties to reflect basically what the ORC changes states for misdemeanor level penalties. Our Code said \$100 where the ORC is now \$150. I took out, the language now just reflects any changes with the ORC, that will also change our Ordinance.
5. The last change was to define residency as continuous residence within the City for 90 days or more is prima-facie evidence that you are a resident. That was the last change and I thank Council for addressing this at the last minute but I felt these were important changes to give me before next year.

The motion to suspend passed 7-0.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to adopt Ordinance No. 68, 2008 as read. Motion passed 7-0.

ORDINANCE NO. 69, 2008. AN ORDINANCE AUTHORIZING THE PUBLIC SAFETY DIRECTOR TO ENTER INTO A PROPER CONTRACT WITH KUSTOM SIGNALS, INC. FOR THE PURCHASE OF VIDEO EQUIPMENT TO BE INSTALLED IN POLICE CRUISERS, 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. 69, 2008.

REMARKS

Ms. Hausfeld – Even though we did not, to my recollection at least, we did not discuss this last week at the COW I do know that we did discuss it a couple of weeks ago with, if I'm not mistaken, the Police Dept. head, some extra dollars in the line item. And we wanted to do this for next year but since we had the money this year we're going to go ahead and do it this year instead of next year. So just to explain it to the public what we're doing.

The motion to suspend passed 7-0.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to adopt Ordinance No. 69, 2008 as read. Motion passed 7-0.

OLD BUSINESS

Ms. Hausfeld – I received the Police Dept. report for November and I noticed as far as like the traffic stops and stuff, I was just curious how the food for fines has been working out, if we've had any good feedback or bad feedback about it? If Rodney or the Police Chief would like to answer or if you even can, I don't know.

Mr. Chatman – I will ask the Police Chief to answer. I was in the Police Station the other day and looked at the container and there was a lot of food there. I do want to, while this subject is on the table, emphasize that during this time you don't have to be pulled over for a citation of any sort to donate. Anyone that would like to donate food for this program and thus serving the people of St. Bernard, please feel free to do so and drop it by the Police Station. As far as how the program is running, Mr. Moeller, he's giving me the thumbs up but I don't know if he wants to comment further.

Chief Steve Moeller – What I will say is obvious that the individuals coming in to pay the fine are pleased that it's ten can goods and \$25 instead of \$103. We get positive remarks on that aspect but no one likes a ticket. They feel like they're getting a bargain.

Mrs. Brickweg – I also want to comment to that, I forgot, I was just telling Patty that there was a good article, but it was also reported on the news apparently the day after Thanksgiving because my mother called me and thought that that was a really neat thing to do and there was only one other community doing it and she said they had a really good report on the TV on that.

Mr. Walden – Mr. Chatman, I can also report that I've had several people at my work in my building down town commend the City of St. Bernard on that program.

NEW BUSINESS

Mrs. Brickweg – Before I read the dates of the next Council and COW meeting there was a little bit of confusion at the last meeting and I just wanted to get the thoughts from Council to make sure that we're all on the same page. We discussed this a couple of months ago. We realized that there were five Thursdays in January. The first one being on January 1st and we said that we would move the schedule therefore to the 8th and then follow our normal route or whatever. So I had it as on January 8th we come back into session at a Council meeting. Some thought that might be COW so I wanted get Council's input before I announced this to make sure that we're all on the same page. Is that everybody in agreement that the 8th will be a Council meeting and that the 15th will be a COW meeting? OK because a few were worried that we wouldn't have a COW meeting. I'm going to go ahead and announce that right now.

Ms. Hausfeld – The only problem I have with that is if there is any kind of Ordinances that need to be passed right away in January, we're not going to have a COW meeting in order to discuss it to bring it to the table on the 8th. Does that make sense? Does anybody foresee having an Ordinance ready right for, I'm talking Dept. Heads, having an Ordinance that we're going to have to worry about passing right away on January 8th?

Mr. Burkhardt – We've done this in the past. If there's an emergency thing come up we can hold a COW meeting at the end of the month on that Tuesday. So it is possible to call Council to a COW meeting if something were to crop up at the end of the month.

Ms. Hausfeld – Could we have, this might be stupid, but could we have a COW meeting before the Council meeting on the 8th? At least we would be aware of what's going on for the 8th.

Mrs. Brickweg – I guess I understand what Patty is saying but what I'm thinking is, when we did meet on the 1st, usually that was just a celebration meeting, not a real official meeting so I guess we kind of used to not doing that anyway. I guess I really never thought about that before. Like the Mayor said, if we see anything coming up then I guess we could schedule a meeting for that Tuesday which would, I don't have my dates right now, but it would be the Tuesday, we're talking in December. It would be the 29th. So Mr. President when you ask for the next Council meeting will be January 8th and the next COW meeting will be the 15th.

AUDIENCE WISHING TO ADDRESS COUNCIL

Phil Stegman, 19 Orchard – On the comments we just had before the 1st meeting, one thing I was going to do, I've been shadowing Ray for a week, so I could get off running after January 1st. The roof over at the Municipal Bldg. is leaking again and one of the Ordinances, I was going to go out for bid, so it's just asking Council to put an Ordinance to go out for bid for that first meeting so I could get the ground work going on that. It wouldn't be like submitting a contract or anything but just going out for bid. That would be the only thing I can see right off the shoot.

Mr. Zix – Could I ask Council if we could put that on the January 8th meeting as an Ordinance?

Mr. Geiser – I don't mean to interrupt, it's not my position, but we changed that a while back. To go out for bids, he really doesn't need permission. If he asks for a contract, you approve, but to go out for bids they can do without Council's approval.

Lou Steinert, 308 Delmar – I have a few things I would like to say. On behalf of myself and I hope most of the citizens and residents of St. Bernard, I would like to thank all the elected City Officials for their service to the City during the past year. Being a public servant, as you're called, is frequently a thankless job in which you are often damned if you do and damned if you don't. I want you to know that I appreciate your effort for and your devotion to the City. Likewise, I would like to thank the appointed officials for their past year of service to this community. I would especially like to thank Ray Schrand for coming out of retirement to be the Service Director for the past year and I want to wish him the best as he heads back to retirement. And since it is very close to Christmas I would like to give you my wish list for 2009:

1. As we head into the new era of revitalization for the City, I feel that it is time to review whether the current governmental structure is appropriate for the future. The structure that has served the City well in the past may not be the one that will best serve the City in the future. I would like the Mayor and/or Council to create a Charter Review Commission to review our current governmental structure and to determine whether business as usual will be effective as the City moves forward. The fact that two new faces and three independents

2. The second item on my wish list involved job descriptions and performance evaluations of Dept. Heads. It is time that a realistic and detailed job description with minimum qualifications be developed for each of the high paid City Officials. With this done it will then be possible to perform meaningful, indepth performance reviews on an annual basis. I suspect to accomplish this task outside professional help will be needed.
3. The development and implementation of a marketing program that would emphasize that St. Bernard is a great community in which to live whether it be through home ownership or rental. I suspect that if we are not successful in convincing new professionals and semi professional people to move into this community then St. Bernard as we know it now will slowly fade away and become nothing more than a run down Cincinnati neighborhood.
4. Finally, the City needs to improve its curb appeal. Once we convince people that St. Bernard is a desirable community in which to live we need to be able to close the deal and get them to buy and move here. Let's say that I find a house that I want to buy. My next step might be to drive around and look at the neighborhood, ask yourself, what am I going to see? While I might see many positive and attractive things especially at Christmas time, I will also see far too many yards that aren't well kept and leaves that aren't raked. I will see garbage cans left on the curb for days. I will see homes and businesses that need to be painted. Houses with roofs that are in bad repair. Cars parked on the curb and sidewalk. Cars visible from the street and some properties that is too full of junk and trash. If we don't have Ordinances that allow us to address these issues then we need to pass them. If we have them, we need to institute vigorous enforcement. We have to enforce everyone who owns property in St. Bernard to respect the community and to value its appearance. Thank you for allowing me to speak with you this evening. I wish each of you a very happy and productive new year.

Mr. Tobergte – Mr. Steinert, one thing we are going to look at probably next year is going to a City Manager form of government. We're trying to work on the Charter for that.

Lou Steinert, 308 Delmar – I think that's good and those of you who have heard me speak before know that I'm in favor of some sort of professional administrative person in charge of the City. There are a lot of issues, for example, should Council terms be two years or four years, should there be term limits. There are a whole number of issues I think that the Charter Review Commission can and needs to address not just the City Manager issue.

Mrs. Brickweg – I guess my question to that is before the Commission, you would have to be elected to that, so I assume it would have to be same thing so when we look into that, we'll have to look into that. It might not be

something that happens over night but that is a good idea so we'll look into that.

Mr. Walden – Since Mrs. Brickweg has already given us the date of the next Council meeting I will entertain a motion for adjournment.

Motion by Mr. Zix, seconded by Ms. Hausfeld to adjourn. Motion passed 7-0.