

the table for Ross Ave. We are aware the street needs some work and I have given Council some plans to fix the problem and hopefully we can get something done soon.

I would like to be put on the COW agenda to discuss Ross Ave. and the wall at Delmar Ave.

TAX COMMISSIONER, Mr. Geiser – Absent

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Zix – Absent

SAFETY, Ms. Hausfeld – No report.

SERVICE, Mr. Tobergte – Hamilton County has opened its household hazardous waste drop off program for this year. Items can be dropped off at Environmental Enterprises at the corner of Spring Grove and Winton. They are open on Tuesdays from 2-6 and Saturdays from 9-1. You will need to provide proof that you are a Hamilton County resident. For more details you can check their web site at www.hamiltoncountycle.com all one word or call at 946-7700.

PUBLIC IMPROVEMENTS, Mr. Meier – I would just like to make one comment. I want to compliment the Service Dept., one day last week I meant to stop by. Actually there has been a lot of trash that has been blowing along the Canal Bed behind the Imwalle property and I went out to work that morning and it was all gone. You guys are doing a really good job and I appreciate it.

LAWS, CONTRACTS AND CLAIMS, Mr. Peck – I have before me a draft Ordinance regarding satellite dish antennas submitted to the Laws, Contracts & Claims Committee by Mr. Wiedmann and Mr. Moeller. It is with approval of my Committee, all three members, I would like to have this placed for discussion at the next COW meeting.

BUSINESS AND INDUSTRY, Mrs. Brickweg – Tonight I want to announce a new business in St. Bernard. 505 Motoring, located at 800 E. Ross in the old Thompson Heating and Cooling Building. 505 Motoring is a high end specialty auto buyer and seller that also does auto detailing and glass tinting. What they do is they go out and purchase used high end cars such as Porsche, BMW and Audi from a variety of places such as vehicles turned in on lease, vehicles purchased directly from a previous owner or from a dealer's inventory or private car auctions held in the United States. Their team of employees then spends most of their time evaluating and testing the cars to ensure that the buyer is getting the very best and eliminating any concerns that a buyer may have. They complete intensive detailing and do a thorough mechanical and physical inspection prior to listing the vehicle. They use the finest products on the market and will provide the buyer with advice on what products to use to keep their new car in top shape. The result of all their hard work is a stunning high end vehicle which is not only visually appealing, but is also mechanically sound. They will operate their corporate offices and the detail work at their location on Ross Ave. If anyone wants more information they have a very detailed and informative web site at www.505motoring.com.

HIGHWAYS AND TRANSPORTATION, Mrs. Bedinghaus – For the month of March the Dial-A-Ride passenger numbers were 2,129. The total for the year was 6,035. The Medical Bus for the month of March 20 and year to date, 21.

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

COMMITTEE OF THE WHOLE March 26, 2009

NEW OR REFERRED ITEMS:

1. Approved the minutes of the March 19th council meeting.

REPORTS OF ADMINISTRATIVE OFFICIALS:

Mayor, Bill Burkhardt:

1. Bill asked council to go into executive session at the end of the meeting to discuss a personnel issue. Council voted in favor 7-0.
2. Bill distributed a rendering of a re-designed and improved War Memorial for in front of City Hall. It would include new flag poles displaying the various line of service flags and monuments for all the wars. Currently there is a fund in the bank for earmarked for the War Memorial and it could be used for part of the improvements. Bill will look into possible grant money and will report back in the future.

Auditor, Walt St. Clair:

1. Walt provided council with “proposed” copies of ordinances and resolutions for the next council meeting. He will continue to do this so council will have the opportunity to review the ordinances and better understand them. The ordinance is for the transfer of \$350,000.00 from the general fund to the employee health plan fund and a transfer of \$1,500.00 from the Auditor line item to the Bureau of Inspection. Council voted 7-0 to place this on the table for the next council meeting.

The first resolution is to approve that an invoice for audit services by Bastin & Company being under a “then and now” certification greater than \$3,000.00 is approved for payment in the amount of \$6,864.00. Council voted 7-0 to place this on the table for the next council meeting.

The second resolution is to approve for future expenditures of public funds for public purposes. For example when the city provides food and drinks for functions, such as Senior Citizens Club, picnics for city teams or when employees attend meetings/seminars where food is provided. The State Auditor which is auditing our city said that a resolution is required to spend city funds on such items. The City will also need a similar resolution when the Holiday Activity Fund is incorporated with the City budget, which is another requirement with the State Auditor. Council would like Kate to review this resolution and give her feedback before it is voted on.

Law Director, Kate Bedinghaus: absent

Safety Director, Rodney Chatman:

1. Rodney reported that the City weigh in will be the same time as last week.
2. Rodney reported that there will be a Block Watch meeting April 22nd at 7:00 PM
3. Rodney is working on setting up a city wide walk group for April 4th at 10:00 PM.
4. Rodney asked council’s wishes regarding him gathering information on the City having an Employee Recognition Banquet where employees would be recognized for

Service Director, Phil Stegman:

1. Phil provided council with proposals for work to Ross Avenue to fix all the areas where the street is cracking and starting to buckle up. He present three proposals ranging from \$16,050.00 (some grinding and filling in cracks), \$58,829.88 (grinding, filling and a micro surface) to \$76,335.84 which would be for grinding, filing and a micro surface for Ross Avenue and also Sullivan from Washington to Delmar. All three fixes would last between 3 to 5 years. Council will review proposals and discuss again at the April 9th COW.
2. Phil reported that he is working with a perfections group, which is evaluating the city and writing a report regarding ways the city can save money with items such as gas and electric, air, lighting, etc.
3. Phil reported that he had to spend \$2,300.00 for a new transmission for the Service Departments Electric truck.
4. Phil answered questions regarding why the new generator for City Hall is costing more than what was proposed. He stated that with new state regulations regarding the natural gas line, the city has to put in a new-larger line. He has money for this, but he will not be able to purchase the portable generator which council gave him permission to do. He did find a new portable for \$12,000.00, council agreed for him to purchase it.

Tax Commissioner, Ed Geiser: absent

Treasurer, Jamie Sipe: absent

REPORTS OF STANDING COMMITTEES:

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

Public Improvements, Kevin Meier: Kevin reported that he is looking into a housing program in Northside that has been very successful and he will report back.

Business & Industry, Peggy Brickweg:

1. Peggy informed council that members need to be aware that their side comments during meetings are being picked up on the tape of the meetings and that anyone requesting tapes can hear what is being said.
2. Peggy asked council's thoughts again regarding setting up an Audit Committee. Cindi suggested she would like to see if there is anyone in the City that could be qualified to volunteer for the position, such as a retiree. Patty suggested that if a volunteer is chosen they need to be non-politically associated. Peggy stated that she thinks the City needs to hire a professional firm that will have their reputation to put on the line. Kevin agreed he would like to see it be someone on the outside. Peggy will contact other communities to see what they are doing for an Audit Committee and she will contact the State Auditor currently working in St. Bernard and ask if he has any suggestions.

Safety, Patty Hausfeld: no report

Highways & Transportation, Cindi Bedinghaus: no report

Service, Don Tobergte: Don suggested that the city start up line items for future city liabilities and large expenditures. Don contacted the State Auditor's office and learned that this can be done. He suggested a line item for city employee accrued sick time that can be paid out at retirement, a capital improvement line item for items such as new roofs and an equipment line item, for items such as police cruisers, fire trucks, garbage trucks, etc. Council is in favor of this and the Finance Committee will work on the details and report back to council.

Finance, Greg Zix: no report

Audience Participation: none

Ordinances and Resolutions for the next council meeting:

1. Ordinance for the transfer of funds
2. Resolution for the “then and now” invoice

Next Council Meeting: April 2nd 7:30 P.M.

Next C.O.W. Meeting: April 9th 7:30 P.M.

Respectfully submitted,

Peggy Brickweg,
President of Council Pro-Tem

COMMUNICATIONS – None.

RESOLUTIONS AND ORDINANCES

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to read this evening’s Resolutions and Ordinances by title only. Motion passed 6-0.

REMARKS

Ms. Hausfeld – Walt, I know on a couple of these occasions on the Ordinances and the Resolutions we talked about making sure that if we don’t discuss it at COW that you shoot us an email that we all know what’s going on the night of Council. Here again there’s a couple of items that you’ve added on to at least the Resolution that you yourself admitted that we didn’t discuss. All I ask you is if it is, what we discussed at COW I understand these things have to be paid and I’m all for paying them but if you could just email us before tonight and just let us know that you are adding them to the Ordinance or the Resolution. Just so that all of Council is aware of what is going on.

Mrs. Brickweg – I just had a question on the Resolution. Before we go into motioning for it, on the second part where it says the Duke Energy, that’s not something we plan on getting bills from Duke Energy. I’m just curious on that one.

Mr. St. Clair – Yes, those are things that we do get from Duke Energy. But as you know all this stuff is with these new purchase order issues that have come down from the State Auditor’s Office. I’ve spent way more time on these things than, in my opinion, than we should be, to go by the rules and this is one of those things that came due without my being aware of it so it has to be done this way.

Mrs. Brickweg – Is this one where we had talked at the COW that we had said like for Duke Energy there would be a lump sum put aside to pay for it. Is this something that we’ll do in the future for this one then.

Mr. St. Clair – Yes, this is. I think this one is for a parking lot, or street lighting. We get that every month so we will or we got a handle on it now so we’ll have a purchase order every month from now on. We’re just getting started with these procedures and getting our ducks in a row on how we’re going to handle it.

Mrs. Brickweg – I have a second question. On the law firm, I’ve never heard of them before and I’m just wondering who used the law firm and what it was used for?

Mr. St. Clair – I believe, that would have been issues relating to the building department and their issues with “For The Dogs” and it also had to do with (microphone glitches) If I might add, the point from Ms. Hausfeld was well taken, I do apologize. I should have done that but I just didn’t get around to it and I do apologize to Council.

RESOLUTION NO. 5, 2009. A RESOLUTION PROVIDING FOR THE PAYMENT OF THREE (3) INVOICES COVERED BY “THEN AND NOW” CERTIFICATIONS OF PURCHASE ORDERS EXCEEDING \$3,000, AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to suspend with the second and third reading of Resolution No. 5, 2009.

REMARKS

Mr. Tobergte – I want to thank Walt. At the COW meeting he supplied us both Resolution 5 and the Ordinance No. 12 mark up copies that we kind of knew what was coming up with the exception of section two and section three. Again I would like to ask the Mayor if we could just please have the Ordinances on Wednesday instead of coming tonight and grabbing them. That way Walt won’t have to email everybody. Anybody who wants to see what Ordinances are on the table they can come down on Wednesday night and pick them up and look them over.

The motion to suspend passed 6-0.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to adopt Resolution No. 5, 2009 as read. Motion passed 6-0.

ORDINANCE NO. 12, 2009. AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS, TO PROVIDE ADDITIONAL APPROPRIATIONS AND TO 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. 12, 2009.

REMARKS

Mr. Stegman – One thing I wanted to bring up, it’s not a problem, but I just want to make sure Council is aware of it. We did discuss the generator at the COW. It was left off, it’s not a problem. I just want to make sure that at the next Council meeting it gets put on the table if we don’t discuss it at the COW that it’s OK to put it on the next Council meeting. The funds are in there but I just want to make sure it goes back that it is an additional appropriation.

The motion to suspend passed 6-0.

OLD BUSINESS

Mr. Tobergte – On Saturday, May 2, the second annual Soap Box Derby will be held. There are a limited number of cars available to rent. You can find all the information at www.cincysbd.com.

Mr. Sipe – I would just like to inform Council, I did a little research this evening before I came into Council and didn't forget to write it down. The revenues for the year, I know we were discussing it throughout the Finance Committee process. The revenues for the year are similar, if not almost exact, to what we had this time last year.

Mrs. Brickweg – As previously reported at past meetings Council is continuing to look into forming an Audit Committee which was recommended by the State Auditor. I am currently researching what other municipalities require of their Audit Committee and the qualifications those serving on their committees have. When I get all this information put together I will present it to Council.

Mr. Tobergte – To add to what Peggy just said about the Audit Committee, I contacted the City of Montgomery, the City Manager there, their Audit Committee only consists of their Finance Committee from Council. Their only job is to review the State Auditor's report. I'm just wondering, Walt, do we get, I'm assuming we get a report from the State Auditor. Is there any way we can get a copy of that when he's done with it and we get a chance to look it over, then have him come in and explain it to us and if we have any questions for him? Could we have a little meeting that way?

Mr. St. Clair – Yes, we do have a hard copy of the State Auditor's report in my office. It's also available online at the Auditor's state web site however you want to look at it. I can make copies for you, but I think that's a good idea for you to get together with the State Auditor and have him go through it.

Mr. Tobergte – I did talk to the State Auditor's office about the reserve fund for the payout of sick leave and stuff like that when people retire. One question we have is about the interest on the account. When we set up an ordinance to create the fund all we have to do in the ordinance is specify that the interest goes right back into the fund. It does not go into the General Fund. He's still checking on whether or not the funds for police cars and stuff like that, whether we have to have separate funds for a police car or a fire truck or an ambulance or if we can have one big fund for like safety equipment and take it all out of there. He hasn't gotten back with me on that yet. When he does I'll let everybody know.

NEW BUSINESS

Mr. Tobergte – I'd like to make a motion to go into Executive Session that Bill and Rodney asked, for discussion of possible litigation.

Mr. Meier – I'll second that.

Motion by Mr. Tobergte, seconded by Mr. Meier to go into Executive Session to discuss pending and potential litigation.

The motion to go into Executive Session passed 6-0.

Mrs. Brickweg – I will not be able to attend next week's COW due to it being the week before individual and partnership income taxes are due. I am currently working over 80 hours a week I am sure the hours will pick up even more next week. Kevin has happily agreed to run the meeting for me and I'd like to thank him for that.

Mr. Meier – We got a copy of a letter today asking about acquiring nuisance property and I think other members of Council got a copy of it as well. What I'd like to do is make a motion to go into Executive Session after this so that we can discuss the acquisition of property in the proper place.

Motion by Mr. Meier, seconded by Mrs. Brickweg to go into Executive Session to discuss the potential purchase of property. Motion passed 6-0.

Mr. Tobergte – I'd like to add that Walt Moeller and Gerry Wiedmann stay in for that part of the Executive Session because Walt has some information too.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

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

Mrs. Brickweg – The next COW meeting will be April 9th, at 7:30pm.

Council went into Executive Session.

Mr. Walden – Council has been in Executive Session discussing potential purchase of property and pending litigation.

I believe we need to adopt Ordinance No. 12, 2009.

Motion by Mr. Meier, seconded by Mr. Peck to adopt Ordinance No. 12, 2009. Motion passed 6-0.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to adjourn. Motion passed 6-0.