

**ST. BERNARD VILLAGE COUNCIL MEETING
NOVEMBER 2, 2017**

The regular meeting of the St. Bernard Village Council was held Thursday, November 2, 2017 in Council Chambers.

President of Council, Mrs. Valerie VanValkenberg-Walden Absent Mr. Asbach –
The meeting was opened with a prayer followed by the Pledge of Allegiance.

Roll call showed that all members were present: Mr. Tobergte, Ms. Hausfeld, Mr. Kalb, Mr. Asbach, Mr. Chastain, Mr. Culbertson and Mrs. Bedinghaus.

Mr. Kalb made a motion to dispense with the reading of the minutes. Mr. Culbertson seconded the motion. Council agreed 7-0.

REPORTS OF CITY OFFICIALS

MAYOR, Mr. Estep – At this time I'd like the PAC ladies and Andrea Behanan from Duke to gather around the podium and present them with a check. Tonight is sort of a special night. The PAC ladies as you know, the Positive Action Committee, has done a lot of good things in St. Bernard. They've organized runs, they've done things to keep kids busy and keep them out of trouble and they continue their efforts with the next thing they're going to try and I'm sure they'll be successful. Mostly due to the help of Duke Energy, tonight we have Andrea Behanan from Duke Energy, she's here to present a check to the PAC organization for an afterschool program for children and tentatively it would be on Monday, Wednesday and Friday in the Teen Center. They're still working out the details and the agenda and some of the other criteria but Andrea is here if you would like to say a few words as she has a check for \$9,500.00 from Duke Energy.

Andrea Behanan – Good evening. I'd like to thank you so much for this opportunity to be here tonight and I can tell you that it is our distinct pleasure to work with Mayor Estep and to work with the PAC women and Laura Mosley in particular on this initiative. This is something that our foundation highly values, educational programs in the community. So, we are just thrilled to be able to support this initiative.

Iris – Hi, Iris Wainscott, president of the Village Positive Action Committee and I just want to extend our tremendous thank you to Andrea and to Duke. This grant speaks volumes for not only the ladies of the PAC but also hopefully to our community and we are just extremely grateful. Thank you very much.

Mayor Estep – Thank you again ladies and in my many years of education I've learned that if you want something accomplished, get a group of ladies behind you and it will get done.

Start off with some positive. December 2nd is our annual Christmas gathering. That will be out here in front of City Hall from 6:00 – 9:00pm and we'll likely see Santa, treats and other parts of the festivities will take place from 6:00-9:00 pm.

I have mostly a positive report but I would like to go with a downside first. We have a resignation this week from Sharon McCollough. She's going to be missed terribly for that department. She resigned to take a position with an organization in Milford. She's done so many things over there they are going to have a hard time, Rick and LeAnne both told me that they're going to have to figure out some of the things that she's done that they're not even aware of. I'm going to interview a person tomorrow sometime to fill that position with a part-time position. So that's the down side, I guess.

Also in the Seniors Club, they're looking for members. Their membership is dwindling a little bit and if anybody can think of some ideas or incentives to get more Seniors involved over there. It's a great group. Maybe contact them or contact Brenda who is the president right now.

Get out and vote next week, don't forget to vote next Tuesday and that's all I'll say on that.

Also, Pete Nicholas, he has a giant food truck and he'll be open for business in a few weeks. He'll be on the Long John's site and we're going to receive rent from him and he'll pay the utilities for the inside so there'll be seating available. And he's been very successful in Miamitown and Harrison and a few other places he's been. We met with him and worked out the details and there's a menu on the website. It's under Giant food truck from Miamitown if you want to look that up. He's supposed to have a gourmet hamburger and some other things that he is very proud of and very good.

Also, I spoke with Paul Myers downstairs. You know we had an opening down there for a HIP Inspector and after a conversation with Paul, I hope I didn't step on Jonathan's toes a little bit on this but Paul said rather than a HIP Inspector they can cover the duties, they're more concerned with the clerical side of it. So, he said he would rather have a secretary than another HIP Inspector. So, we contacted Xavier, they have a website called hireamuskie.com" and we're going to be working with

them to see if there's a grad student or somebody available to fill that as a part-time position as well.

AUDITOR, Mrs. Brickweg – Before I start my report, I was hearing around City Hall that it would be a part-time replacement with benefits. I did look again as I was asked to, but we cannot, we cannot give health care to part-time employees, and you'll see why when I finish my report.

The Auditor's office provided Council and the Administration with October's Expense and Revenue spreadsheets and Cash Fund Report. Year to date the Village's expenses are \$10,646,120.48. Compared to the end of October 2016 the expenses are down \$471,487.20, please note we had a large extra expense in 2016 for the Jackson Ave. road repairs in the amount of \$484,019.99. Year to date the Village's revenues are \$10,105,449.45. Compared to October 2016 the revenue is down \$792,544.55. Year to date the Village has spent \$540,671.03 more than it has brought in.

The Auditor's office has prepared Ordinance 27, 2017 for tonight's meeting. This Ordinance creates a new line item 01-6-A-1C. SEP Program, which is for the Selective (Speed) Enforcement Program that was discussed at the last COW. It also provides additional appropriations to the following:

- Service Department Overtime \$12,000.00
- 01-67 Employee Accumulated Sick Pay \$35,600.00
- 51-07 Employee Healthcare Expenses \$400,000.00

The Service Department overtime is needed to replace money that was moved to the Service Department Seasonal Employees a few months ago. It will also include appropriations if overtime is needed in the case of snow removal. The employee accumulated sick pay is needed because there is not enough in the line 01-6-A-1C item to pay out a resent request.

The additional money to the Healthcare expenses resulted from some extremely large invoices we just received. The Village is self-insured, so we had no idea we would be receiving such large invoices. With these invoices expenses the line item has a balance of \$3,104.80. With two full months to go in the year, I am not sure if this \$400,000 will cover the expenses through the end of the year. The Village received \$41,621.19 in Stop Loss payments so far for November so hopefully we

will continue to receive more. I calculated the remaining employee premiums to be

collected through the end of the year will be \$47,315.00. This could change based on the number of employee in the plan.

This ordinance also authorizes the transfer of \$1,100,000.00 from 01-5-A-19 General Fund Transfer Out to

31-1000 General Bond Retirement Cash Account \$400,000.00

51-1000 Employee Health Cash Account \$700,000.00

It provides moving \$4,300.00 from 6-A-1 Police Officers with \$300.00 going to-2-A-7 Magistrate and \$4,000.00 to 6-A-1C SEP Program.

I want to inform Council that I received our estimated 2018 premiums for Worker's Compensation today. The Village is estimated to pay \$252,947.00. If we pay this amount by January 2, 2018 we will receive a 2% discount of \$5,058.94. With the new premiums the 2018 Workers Comp line item needs an additional \$63,000.00 added to it.

I am very happy to let everyone know that I finalized the preparations to have the Village's checkbook on the State of Ohio Treasurer's OpenGov Checkbook. We will start by uploading the 2017 checkbook when we close 2017 in the end of January. At that point we will decide work on a schedule with the State on when to up load future data. If at any time someone would like current information they can contact the office and we will provide it.

Low Interest Loan account has a balance of \$177,550.68.

DIRECTOR OF LAW, Mr. Peck – I think we have Ordinance No. 25 tonight. We discussed at COW which if making the electronic recording the official minutes of the Council and COW meetings. I'd recommend passage of that. I know we had discussed it. The additional thing we discussed at COW was a capias fee. It was determined that we do not need a separate Ordinance for that. That's going to be a fee or a penalty imposed by the Clerk of Mayor's Court. So, they'll be no Ordinance with regards to a capias fee. With regards to the changes to our Ordinances regarding the President of Council and the Clerk of Council, I'll have an Ordinance drafted by COW in two weeks for passage in December. We thought that was going to take effect in the new year anyway so I'd rather have a prepared Ordinance for us to look and discuss at COW before we go and pass that so, if you

would, put me on the agenda for that. Other than that, we have Ordinance No. 28. This was in regard to the step program. My understanding is Council may or may not be in favor of that program and if that's the case I would just withdraw that and look at other avenues. That is the first I'm hearing of that.

Mr. Stuchell – We can discuss that at a later time. I was more concerned about your concern of the interest and fine schedule and as to whether or not that is still possible. Before that's even done I think we should table that to determine if this is going to be possible.

Mr. Peck – John, would you be more comfortable tabling this right now.

Mayor Estep – Yes, you know I was sort of in between the last time we talked about it and I went door to door the last couple weeks talking to people about different things and I'm hearing more and more that they don't like the way it sounds. They think we're going to be labeled a ticket city. A ticket place, but I, you know, the citizens that I talked and a couple of the Council people didn't seem like they were in favor of it either.

Mr. Peck – At this point with all these concerns, I'm just going to withdraw Ordinance No. 28 if that's okay?

Mr. Asbach – We'll just discuss it when it comes up for a vote. If we need to table it at that time, we'll table it at that time.

Mr. Peck – Allright.

TREASURER, Mr. Ungruhe – This evening I printed off the Fifth Third securities inventory detailed report for the Village of St. Bernard. Our balance down there at the end of October totaled \$650,000.00.

SAFETY DIRECTOR, Mr. Stuchell – I have the Fire Department report for the month of October. As far as EMS details, there were 81 EMS details with 45 patients transported. Mutual aid given was given 3 times to Elmwood, 2 times to Springfield Township, once to Norwood, and once to Cincinnati. Mutual aid given once to Golf Manor and once to Lockland. Details of Interest, 14 Auto accidents and 1 overdose.

As far as fire details there were 39 for the month of October. Mutual aid was given 1 to Elmwood, 1 to Springfield Township. There was no mutual aid received and

details of interest; there was one vehicle fire, 3 trash/dumpster fires, 1 fuel spills and 1 elevator rescue.

If you haven't already heard, Chief Steve Moeller will be retiring from the St. Bernard Police Department on November 24th. Chief Moeller joined the department as a Patrol Officer on September 7, 1985 and was promoted to the position of Sgt. On January 10, 1992, which again the position does not exist now. He then was promoted to Chief of Police August 20, 1998 and has served this community with the utmost dedication. Steve has been a real pleasure to work with and I know that he will be missed in the community. I do not know many Chiefs who still patrol the streets and work the traffic detail in the morning during school hours. I'm sure that the kids will miss getting a high five from him in the mornings as they are crossing the street. He is leaving the department in good hands and we will announce a date for a reception to honor him after a Council meeting.

Also, I would like to give you an update on the promotional tests in both the Police and Fire Departments.

For the Fire Lt. both the written and assessment portions have been given and the last portion of the process which is the interview will be done next Wednesday.

The written test for the positions of Police Lt. And Chief will be held on Saturday, November 11th and the interviews will be done November 14th and 15th. The assessment will most likely be done during the last week in November.

There will be an interim or acting Chief for a short time until the promotional process has been completed.

Once the new Chief has been appointed we will also start the process of filling vacancy due to the promotion of a Lt.

In closing, I would like to wish Councilman Andy Kalb and future bride Mallary the best of luck as they take to first step as husband and wife this Saturday.

SERVICE DIRECTOR, Mr. Paul – Moeller Ave. Punch List has been completed. The Leafer will be fulltime on Monday. The change happened quickly and the need is apparent.

I have looked into the Little Free Library and find that the number one complaint is that those who build do not weather proof it sufficiently. Number two is that of stocking the library. People seem to take a book without replacing with another book. These are minor details and there is more help than I thought after speaking with residents. We will try the Little Free Library at Bertus Park. I did not want it too close to the library and closer to Ava, the care giver. The Service Department will be more than glad to lend a hand, especially for placement into the ground. Congratulations Ava and good luck in your endeavor. I will notify her tomorrow. There will be many things going on in our Village. Repairs to manhole covers. Underground copper wiring to be removed from Ross Ave. from Ross Park to

Vine. then Vine to Mitchell Ave. The sidewalk at 4509 Vine will be repaired as well as the parking lot in Vine St. Park. We will also be repairing the indoor water lines at the pool. They started to leak at the end of the season. We will continue our winterization.

To my community, the universe has passed us into another season. Some of us have trouble with autumn but our ancestors have taken care of that by changing our vocabulary with words like merry, happy, peace, joy, love and giving. Ask the universe for your bounty to last the season, your banquet to be just big enough and surround yourself with those who seem to make you feel good. I hope you have acquired an abundance of peace. For if so, you can serve love as your desert.

TAX COMMISSIONER, Mr. Moore – I've got a couple of things on my agenda tonight for a change. First of all, I'll have the October report by the COW in a couple of weeks. Preliminarily it looks like we had a decent month. Number two as John mentioned, Sharon has resigned. She said it was nothing to do with here. She had an opportunity to go to work for an organization that she believes deeply in and she thought it was certainly a better opportunity, or a good opportunity for her and as they said about Chief Moeller, Sharon will be missed, believe me. We were talking today, I was talking to John, I was talking to Lehanne, she did a lot of things behind the scenes. Even Lehanne and I are not aware of and I told Lehanne today, I said, we can handle the big things, we can deposit the checks and handle the window and the phones, it's all the little things that she did that we're going to have to catch up on. So, I do wish her the best of luck and she will be missed. Currently we have a refund on the books that's due or has been asked for that we're going to need to pass an Ordinance probably by the first of the year. We can discuss it at the next COW meeting. It's a refund of \$238,000.00 and right now it looks legitimate. I do have feelers out to the companies to see if there is maybe any steps we can take. I mean one option obviously is let's just get it off the books and pay it in 2017. There are some other options, we can ask them to apply it to other taxes

For some other companies that remain here in town, we could ask them for a payment plan, but then by law we have to pay interest. We have 90 days to respond so we do have to at least the first of the year but it's for at least approximately \$238,000.00. So, it's a pretty big hit.

Lastly, I put in your mail boxes, everybody's mailboxes about how House Rule 48. House Rule 49, I'm sorry. This is your State Governments attempt to go around what happened several months back about centralized collection. And just to reiterate they want centralized collection for net profit taxes that the companies can send them up to Columbus, they take a cut off the top and then they forward them on to us. It's a terrible bill and they're making another attempt to get it through. For

one thing we lose all control or all ability to question those returns. So, in other words, you know, company X sends their returns to Columbus, we cannot audit, we cannot, you know, go against it, we cannot question it. So, I think that's a really, really bad part of this bill. As a consequence, there are two things regarding this bill to be aware of and we can discuss them in some detail again in the COW meeting in a couple of weeks because I will have an Ordinance there. First of all, there is a class action law suit that's been instituted by several communities, several municipalities. In our case, if you look at the fifth or sixth page back, there's a price list, it would cost us \$1,000.00 to join the law suit. The City of Dayton is actually spearheading it. I don't know whether Cincinnati is participating as of right now or not. I haven't talked to Ted so I don't know. But there's about, my understanding, there's about 25 communities throughout the state that are in this class action lawsuit to stop this bill because it's unconstitutional. It takes away home rule, basically. And, you know, I highly recommend that we discuss and, Mike and I talked about it, that we become one of the cities and join in this lawsuit. I realize we're not an important statement as Toledo or Cincinnati but I still think our name should be added. The second part of this though, and sort of erroneous if you ask me, we have to pass an Ordinance accepting this bill or we lose our ability to levy taxes. So, if you look on the suit I gave you, I highlighted it, I think it's on the first page. We have to pass an Ordinance by January, and I believe it's to the end, we have to the end of January, but obviously I'd like to get it done prior to that, accepting this bill. We're kind of whip shawled here. It's kind of a two way thing. I mean we're going to join, I'd like to join the law suit against the bill, but then on the other hand we have to pass an Ordinance accepting this bill. So, we can talk about it at the next COW meeting but I wanted to make you guys aware of it, what's going on and give you some information. I have a complete, and I didn't give it to you, because I don't want to waste paper but, I have a complete slide show on paper that was shown to us at the last SWOTA meeting. (Southwestern Ohio Tax Administrative Association meeting) so if anybody has any questions I'd be glad to email that to you, be glad to walk through it. It kind of goes into a little bit more detail about how this is going to work and why everybody is so vehemently against it.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Tobergte – I would like to thank Mrs. Cindi Bedinghaus, Mellisa and Dylan Raw and my better half Carla for their help at last weeks' pumpkin painting.

I was feeling pretty good about next year's budget until I met with Peggy yesterday and today. Tommy we have more work to do. John if you could help out, we'll try to work this budget out.

Congratulations and thanks to Chief Steve Moeller and Sharon McCullough for the work they have done for our Village.

Lastly, my next Town Hall meeting will be Tuesday, November 14 at 7:00pm in the lower level of City Hall.

SAFETY, Mr. Culbertson – I too would like to congratulate Steve and Sharon for their service to the Village and good luck with their future endeavors. I'd like to remind the residents that the next Block Watch meeting will be on Tuesday, November 21 at 6:30pm at the Safety Center.

Finally, I'd like to wish Andy congratulations and good luck this weekend on your upcoming marriage.

SERVICE, Mr. Asbach – I have the Service Department report for October, 2017. There were 21 trucks placed at residences, 21 dumpsters placed at residences, 122 special pick-ups at residences 204.47 tons of garbage taken to the landfill. On the recycling side; there were 31.05 tons of recycling material, 91 pounds of scrap aluminum, 1 pound of brass and 2 pounds of copper.

PUBLIC IMPROVEMENTS, Ms. Hausfeld – I gave my report two weeks ago if you don't remember. That's a joke between Steve and I by the way. I too want to thank and wish the retirees good luck in their endeavors and also Andy Kalb and his future bride to be a very happy life.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – No report. I want to thank Sharon and Steve for all they have done for this Village and Andy happy (laughing).

BUSINESS AND INDUSTRY, Mr. Kalb – No report. I would like to wish Steve and Sharon happy futures and thank them for their service to the Village.

MARKETING, Mr. Chastain – Again, thanks to Steve and Sharon for their service. I think I'll refer to the marketing committee that is external to Council. The External marketing committee did meet again last night. They have completed the new resident packet. The initial version and I forwarded it on to Heidi, I don't know if posted yet. They don't have the coupons and the fancy things in there yet but at least it's our new resident packet. They're still working on the presentation to the realtor. Trying to bring him in, let them know what we have to offer so when

they talk to people they can offer that stuff back out. Again, they are working for free. They would love some help. If you know how to use presence and make stuff nice, if you have a creative nature, whatever. I had Heidi start posting that from the marketing meeting on the Village calendar. So, if you have any input or creativity they would love the help and energy. They work for free down there and their sole goal is to make us look good and put our best foot forward. Dial-A-Ride served 1,117 people in October and that's up over 1,100 in ten months of the year so far.

Mr. Asbach – The COW report has been submitted to the Clerk.

Committee of the Whole

Oct. 19, 2017

1. Before the start of the COW meeting there was a public hearing for suggestions for the Block Grant Funds that the Village had applied for. Jennifer Vater, of JMA, held the public hearing and said that the applications are due by mid-November. She said that in the past the funds have been used for various items, such as to make restrooms in the parks handicapped accessible, for playground equipment, and could be used for senior center improvements. Some of the suggestions from the administration and Council were as follows: replace the sewer lines on Delmar from Tower to Greenlee Ave., Ludlow Park improvements, upper & lower Ross Park ball field improvements, playground improvements and a possible dog park.
2. Mayor Estep read a proclamation for Mrs. Mairose, who recently passed away at the age of 104, who had been a lifelong resident of St. Bernard.
3. Ava Knobbe addressed Council asking for a “Little Free Library”. She suggested that it go near City Hall and that she would build it as well as take care of it since she is home schooled here in St. Bernard. There is a \$40 registration fee, so it can be listed on the Little Free Library website for people to locate the different locations. Mr. Tobergte said that he would sponsor the fee. She will work with Mr. Paul on a place to locate the library.
4. Council approved the minutes of the Oct., 5th Council meeting.
5. Mayor, John Estep
 - a. Asked for a moment of silence for Mr. Brock and Mrs. Brannen.

b. Said that another great event was planned by Paul Schildmeyer and the recreation department. The first annual Halloween Campout was a huge success last Saturday at Ross Park. Special thanks go out to Marty Gruenwald for his work as a DJ. Also, a big thanks to Ed Kallmeyer as usual.

c. Said he received a call from a lady on Leonard Ave. concerned about the volume and speed of traffic on that street. She also was worried about a young man with a hearing defect. He met with Mr. Paul and they have started the process to place several signs in that area, to slow down for hearing impaired child and school zone.

6. Auditor, Peggy Brickweg

a. Gave Council and the Administration reports on the September expense and revenue spreadsheet and the cash funds report. The revenues year to date were \$8,767,329.91. Compared to 2016 the revenues are down \$665,824.29. The expenditures year to date were \$9,604,892.13. Compared to 2016 the expenditures are up \$109,732.26.

b. After reading the minutes of the last Council meeting, she wanted to inform everyone that our investments are earning 1.23%, with Star Ohio, not .001%. She called our representative and discussed our investments and the possibility of making more interest. There is another program, but the Village would have to maintain a minimum balance of \$3,000,000. She also reminded Council that there are two reasons for moving the investments to Star Ohio verse CD's. The interest rate was higher and there is no penalty for withdrawing money as needed, which has been crucial, especially this year.

7. Law Director, Mike Peck

a. Gave Council a copy of an Ordinance that would make the electronic version of the Council and COW meeting the official version of the meetings. Council voted 7-0 to place the Ordinance on the table at the next Council meeting.

b. Asked Lt. Ungruhe, of the police department, to discuss changes to the fees for Mayor's Court. There are plans to start a new program called a SEP or Speeding Enforcement Program. This program would target key problem areas. Two officers would work a total of eight hours, four hours each on overtime, on this program a week. It was also discussed that the cost of a traffic violation would increase from \$140 to \$160, with \$20 going into a separate line item for the program. We now have a new magistrate for Mayor's Court and he is changing the procedure which in turn is bringing more money into the Village. They would also like to implement

a capias fee for no shows at court. Council voted 7-0 to place an Ordinance on the table for the court fee change. Council also voted 7-0 to place an Ordinance on the table to create a new line item and to move money for the SEP overtime.

8. Safety Director, Jonathan Stuchell

a. Asked Council if they wanted to proceed with the low interest loan program. This program would allow residents, who have written orders against their property, to apply for these low interest funds. Council voted 7-0 to place the Ordinance on the table.

b. Asked Council for an Ordinance to enter into a contract with Cost Recovery Corp. to provide for motor vehicle accident billing by both the police and fire departments. Council voted 7-0 to place the ordinance on the table.

c. Discussed the Memorandum of Understanding, with the fire department, and an update was given. To date \$21,321 has been spent on the program. After much discussion it was stated that the current Ordinance is good until December 15th of this year. It was also stated that the fire department contract is up in April of 2018 and this as well as part-time firefighters can be negotiated. Council voted 7-0 to place a new Ordinance on the table for another six month Ordinance which would be good until May 2018 after the contract negotiations.

d. Discussed an Ordinance for the new police chief's salary when Chief Moeller retires. It was stated that a separate Ordinance will be needed to spell out his benefits. Council voted 7-0 to place the Ordinance on the table.

9. Service Director, Tom Paul

a. Said that the Moeller Ave. street project is complete and he will start working on the punch list.

b. Said that people have asked about the old firehouse and he reminded everyone that the property still belongs to the State.

c. Reported that the Bloody Run Creek, part of the Mill Creek, will be cleaned up near the Murray Rd portion.

d. Said that if anyone needs more orange bags for clothes that can be ordered at www.simplyrecycling.com.

e. Reported that since it has been so mild, leaf collection will begin mid-November. If you have small amounts please just bag them.

10. Tax Commissioner/Administrator, Rick Moore

a. Gave Council the September numbers and will have more at the next meeting.

11. Treasurer, John Ungruhe

a. Gave the balance of the First State Memorial Fund account as \$5,639.06 and the Star Ohio fund balance is \$1,559,251.74.

12. Finance, Don Tobergte

a. Reported that Peggy has been given the numbers for the 2018 budget so that she can put them in the correct format. It was disappointing to have some of the department heads say just give me what I had last year. He will be talking to them to get some justifications for their numbers.

b. Said that the pumpkin painting will be Saturday Oct. 21st from 6-8pm at the old Save-a-Lot. He will have over 200 pumpkins. All members of Council and Administration are invited to come down and help with the painting,

c. Said his next town hall meeting will be November 14th at 7pm in the Centennial Hall.

d. Made a motion to put an Ordinance on the table for updates to our codified ordinances. Council voted 7-0 to put the Ordinance on the table.

13. Safety, Ray Culbertson

a. Thanked Paul Schildmeyer and the recreation department for the Halloween Campout and reminded everyone that there will be nothing at the Pavilion before the kids go out on Oct. 31st for Halloween between 6-8 pm.

14. Public Improvements, Patty Hausfeld

a. Gave an update on the following: 1. Negotiations are continuing for the Save-A-Lot space for the medical marijuana dispensary. 2. Dollar General is open for business. 3. Wiedmann Brewery is progressing on the conversion of the Imwalle Building. 4. New housing at 4426 Tower is progressing. 5. Working on clearing the title for the lot at 213 Franklin which will be the future home of Dr. Hansraj Bangar. 6. Working with First State Bank on the low interest loan program. 7. Roof repair is progressing at St. Clement. 8. Multiple remodeling projects on existing houses are underway.

b. Said that Mrs. Niesen asked to announce that the next Historical event will be Monday Nov. 20, 2017 and the topic will be “Car 54 Where Are You” at 7pm in the Centennial Hall.

c. Said that the St. Bernard Womens Club will hold their Auction on Monday Nov. 13, 2017, Doors open at 6:30pm and the auction starts at 7pm. You can bid on gently used and new items.

Respectfully submitted,

Steve Asbach

President of Council, Pro-Tem

COMMUNICATIONS

To: St. Bernard Village Council:

On behalf of the Moeller Ave. residents, we would like to thank the Village of St. Bernard for repaving our street which was in much need of repairs. All of the companies and workers in charge of this project were very professional, able and considerate of all of our needs.

Thank you,

George and Gail Stegeman

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

RESOLUTIONS AND ORDINANCES

Motion by Mrs. Bedinghaus, seconded by Ms. Hausfeld to read tonight's Resolutions and Ordinances by title only. Council agreed 7-0.

ORDINANCE NO. 22, 2017. AUTHORIZING THE DIRETOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH COST RECOVERY CORP TO PROVIDE MOTOR VEHICLE ACCIDENT BILLING, AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to suspend with the second and third reading of Ordinance No. 22, 2017. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Culbertson to adopt Ordinance No. 22, 2017 as read. Motion passed 7-0.

ORDINANCE NO. 23, 2017. AN ORDINANCE TO AMEND THE PROCEDURES AND QUALIFICATIONS FOR THE LOW-INCOME REHABILITATION LOANS TO CITIZENS OF THE VILLAGE OF ST. BERNARD AS ESTABLISHED BY ORDINANCE NO. 9, 1976, AS AMENDED IN ORDINANCE NO. 2, 1977 AND ORDINANCE NO. 12, 1978 AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Kalb to suspend with the second and third reading of Ordinance No. 23, 2017.

REMARKS

Ms. Hausfeld – Just to reiterate to the general public, this is a loan that was started back in the 70s and there is some money left over in the line item that we're bringing it and starting the program up again per se, so if anybody is interested I believe they contact the Building Department.

Mrs. Brickweg – I'm sorry they might just want to add just in case a lot of people don't just start calling, it's \$5,000.00 for a one family dwelling and \$7,500.00 for a two family so, I (inaudible)

Mr. Tobergte – Also there is a level income requirement on there too.

The motion to suspend passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to adopt Ordinance No. 23, 2017 as read. Motion passed 7-0.

ORDINANCE NO. 24, 2017. FIXING THE COMPENSATION AND BENEFITS FOR THE NEWLY APPOINTED POLICE CHIEF OF THE VILLAGE OF ST. BERNARD AS OF NOVEMBER 2, 2017 AND DECLARING IT AN EMERGENCY.

Mr. Tobergte – Before we do that step, John it says step 1, step 2, step 3 but it doesn't say, is it, are we between steps or what? (inaudible)

Mr. Stuchell – The first step is the only one that can actually have a guaranteed amount because it's all based on the contract. Step 2 and 3?

Mr. Tobergte – No, my question is when does step 2 take affect? There's nothing that says a year, a week, two weeks.

Mr. Stuchell – One of the questions that I was actually, and maybe we can address that with the auditor as well. In the past what has been done is that the actual steps were awarded at the same time that the raises took place based on the contract. Is that correct?

Mrs. Brickweg – Yes it is. We realized we have a date. I'm just trying to think.

Mr. Tobergte – Peggy what I'm saying is

Mrs. Brickweg – overlapping chattering. Yeah, are there any more questions from (inaudible)

Mr. Kalb – Could it be amended to address their hire date?

Mr. Stuchell – In the past for Peggy's purposes it had been kept in line but.....

Mrs. Brickweg – How about if, I'm sorry, how about if you make it above the base pay for Police Lieutenant per the contract date? So that would mean for when the contract, I think their contract is October, so that's when they get their step. So if you date, date of the by the Police Department that I know that's the date they're going by. So, basically, if I'm hearing correctly what they're doing is starting a new one right now at that one and then next October if and when they get a new contract that would be step 2 and then step 3 would be the following one and I did not, unless I'm wrong.

Mr. Tobergte – Are you talking a new contract or their anniversary date?

Mrs. Brickweg – No. It was in the contract. That's what they go by. They're by the contract date. Unless you want to do it different. You could put it in the first three days but that's not what it says.

Mr. Kalb – I believe that we probably need to add in step 2 after one year of service and step 3 after 3 years of service. And then the percentage is just their set salary. So, if for some reason the department salaries would fluxgate in between there then their salary would fluxuate accordingly in between their anniversary date. So, but for the first year of service they would make 5% and after the first

year they would go to 6%, after their third year they'd go to 7%. I believe that's how we talked about it. We might need to amend it those to add those (inaudible).

Chief Meyer – This is how we do it in the Fire Department. We have steps for our new hires. It's on their appointed date. It has nothing to do with the contract date. So, if someone gets hired on February 1, they go to step 2 on the following February 1. it was regardless of any contract date or anything. That's the way it is in the Fire Department if that helps at all.

Mrs. Brickweg – So what I would say is at the end of step 2, and step 3 add on to that per contract per appointment date. My suggestion is per the contract per appointment date.

Mr. Tobergte – From the anniversary of the appointment date?

Mrs. Brickweg - (inaudible) if you're going to be appointed he'll be appointed before his anniversary date, yes. I would do appointment.

Mr. Tobergte – I make a motion we amend Ordinance No. 24, 2017 for step 2 adding per contract per appointment date and step 3 the same thing.

Mr. Culbertson – I'll second that.

Mr. Kalb – Is that, you think that suffices? From the Law Director? Is that going to cover it? Where on their anniversary date because we're kind of specifying what, the year. It's on their anniversary date, on their first anniversary date, on their 10th date?

Mrs. Brickweg – Overlapping chattering.

Mrs. Brickweg – That's what I do with all the employees. It goes on their, you can call it appointment or anniversary but once this person has been the Chief for one year he'll get step 2 and once he's there 2 years he'll get step 3.

The motion to amend passed 7-0.

The motion to suspend the second and third reading of amended Ordinance No. 24, 2017. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to adopt Ordinance No. 24, 2017 as amended. Motion passed 7-0.

ORDINANCE NO. 25, 2017. AMENDING THE ST. BERNARD CODIFIED ORDINANCES SECTION 121.10 (g), THE PROTOCOL, POLICY AND PROCEDURES CODE SECTION, AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to suspend with the second and third reading of Ordinance No. 25, 2017.

REMARKS

Mr. Tobergte – Mike I know this deals with Council meetings and COW meetings. When we have committee meetings, should those be recorded also?

Mr. Peck – That's not dealt with in that. I don't believe so. I think as long as the person takes the meeting minutes that suffices for the law.

Mr. Tobergte – So, the minutes for

Mr. Peck – No you don't have to.

Mr. Tobergte – You don't have to but if you have a lengthy meeting should the meeting be word for word then in his report?

Mr. Peck – No.

Mr. Tobergte – Just a synopsis?

Mr. Peck – Right.

Nicole Klungle – Hi. My name is Nicole Klungle and my address is 551. I would really like to encourage you to reconsider this Ordinance. I personally am trying to become a lot more interested and involved in local government because that's the root of everything and a lot of (inaudible) and I'm also encouraging the people if they can't at least make the meeting come to follow the minutes. Keep in touch about how things are working. If you make a recording of the minutes it makes it a lot harder for people like me or people with children or if you work at night to keep up with what's going on with the Council. And not only that but what if I wanted to say, quote somebody from the Council. How would I, I can't like just copy and

paste something and then email it. Or put it on Facebook, I would have to go to the electronic recording, find the spot, transcribe it, take it out and then in order to put keep apprised myself of the events I would have to, there is no way to do it quickly. I mean I'd have to listen to the whole recording. So, this decision is really an impediment to relationships with the community, not to mention that it really compromises the accountability and transparency in a way that I think is not conducive to good citizenship. So, I hope you keep this in mind for those who really have a hard time keeping up with what is going on.

Mr. Kalb – It is my understanding and I believe after the discussion at our COW meeting last week that we are still going to be continue to provide the written minutes in their entirety after Council meetings which is the same thing we do now. The Council meetings will still be available on line and at City Hall or at Village Hall here on the wall and then we will continue to give a synopsis of the COW meeting. This just makes the official record. So, if you came down and made a public records request for our Council meeting minutes, you would get the audio tape where there's no missed words but the same written copies will be provided on the, out here in the hallway here as well as on the Village website.

The motion to suspend passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Culbertson to adopt Ordinance No. 25, 2017 as read. Motion passed 7-0.

ORDINANCE NO. 26, 2017. 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, REVISING THE TRAFFIC AND GENERAL OFFENSES CODES TO COMPLY WITH STATE LAW, AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Kalb to suspend with the second and third reading of Ordinance No. 26, 2017. Motion passed 7-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Culbertson to adopt Ordinance No. 26, 2017 as read. Motion passed 7-0.

Mrs. Bedinghaus – I'm sorry, I just wanted to stop before it went on. The Mayor had not shared his thoughts about the step program with me the last few weeks so you might before we.....

Mr. Tobergte - (overlapping chattering) Before she starts reading Ordinance No. 27 with Jon and all the discussion I'd like to remove section 1, the SEP program and in section 4 change the "from police officers for \$400.00 to \$300.00" and delete the bottom part, the 016A12 SEP program \$4,000.00.

Mr. Asbach – Did you just make a motion to do that?

Mr. Tobergte – Yes.

Mr. Asbach – Is there a second?

Mr. Culbertson – Second.

Mrs. Brickweg – You also have to change the title. That's why, I did not prepare this till like late, well I've been working late but in the future if anybody has anything like that you can always let me know and I can prepare two of them and you can decide which one you'll have (inaudible) but if you want to then I can type you up a cleaner one if that will help. You also need to remove the new line item.

Mr. Tobergte – And remove the new line item in the title.

Mr. Asbach – Also Mrs. Brickweg if you're going to do a new one, section 3 under 51-1000 we're missing "in hill"

Mrs. Brickweg – Oh, okay.

Mr. Asbach – Nothing major but (inaudible)

The motion to amend passed 7-0.

ORDINANCE NO. 27, 2017. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS, MOVE AND TRANSFER FUNDS AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to suspend with the second and third reading of Ordinance No 27, 2017.

REMARKS

Tom Rolfsen, 30 Clay St. - Can you guys explain what SEP stands for? There are people in the audience that have no idea what you're talking about right now.

Mr. Stuchell – What we were looking at doing was actually starting a Student Enforcement Program. Basically, what it was going to be it was going to be funding an overtime detail basically for eight hours a week strictly for traffic enforcement. That's what it was and now it's been tabled so just so you're aware.

Mr. Tobergte – Just to let everybody else know, I did ask the Police Chief, I checked with Mr. Simos, I asked for a report stating how many details of dispatcher work for this year, how many were covered by dispatchers, how many were covered by police officers on overtime, how many were covered by police officers on comp time, and how many shifts were covered by police officers that couldn't be on the road because they were covering the desk. I have not received that information yet. I think that could be telling (inaudible) dispatching staff we'd have more officers on the road would need overtime due to (inaudible)

The motion to suspend passed 7-0.

Motion by Mrs. Bedinghaus seconded by Mr. Tobergte. to adopt Ordinance No. 27, 2017 as read. Motion passed 7-0.

Mr. Asbach – At this time are we going to table Ordinance No. 28, 2017?

Mr. Tobergte – I don't understand why we're tabling it. The discussion was that this was bringing our fines more in line with other communities so I don't know why all of a sudden we're tabling it.

Mr. Peck – My reason is we're at \$150.00 and it's state law.

Mr. Stuchell – I thought one before but we were going up to \$150.00.

Mr. Peck – No, we're at \$150.00. I checked that. I think that's the state tax so I don't want to pass an Ordinance making go over the state tax.

Mr. Asbach – Since this is already on the table it would be my suggestion that we table it since it's already numbered so we don't mess up anything in the future.

ORDINANCE NO. 28, 2017. AMENDING SECTION 501.99, PENALTIES FOR MISDEMEANORS OF THE ST. BERNARD CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to table Ordinance No. 28, 2017. Motion passed 7-0.

OLD BUSINESS

Mr. Tobergte – John what's the increase in the Health Care line item at. Is the Health Care Committee still alive? Are they still meeting or, I know Bill had a Health Care Committee that he headed up and I don't know if that is still alive?

Mayor Estep – I'm not aware of a Health Care Committee. I was never on a Health Care Committee.

Mrs. Brickweg – That was Sara from USI hasn't had time to meet with you the last couple years. She's the head of our health care and because I did not get a lot of support I'm going to be, I talked to Sara earlier yesterday it was and I asked members of each department to choose one person to come in when we get, they're going out for bids right now and to come in and help me make decisions. So, I'm not doing that all on my own. So, I, dealing with this I didn't get a chance (inaudible) this morning and so I was going to send it out tomorrow and when the bids come back then it usually takes about the whole month of November. We will meet, go over the bids and then I guess it will then be my job, I'll go ahead and call the whole Health Care Committee.

Mr. Tobergte – Then next week the election day City Hall and Service Department will be off that day again or?

Mayor Estep – Yes, I reported that for the past two years.

Mr. Tobergte – Are you just going to continue doing that? Okay. One question for Rick. You talked about passing an Ordinance supporting that bill.

Mr. Moore – Yes, by law, the way the law is written we have to pass an Ordinance and join a lawsuit against the bill. And if we don't pass the Ordinance we're in danger of losing our ability to levy taxes.

Mr. Tobergte – If we pass an Ordinance supporting the bill then the bill hasn't passed yet?

Mr. Moore – The bill hasn't passed.

Mr. Tobergte – The bill has not been passed?

Mr. Moore – It's been passed, yeah.

Mr. Stuchell – I'm asking, trying to find out Council's pleasure, again we did have a discussion at the COW meeting regarding extending the MOU with the Fire Department for the alternative staff program. What I'm trying to find out then before we actually do draw up that Ordinance to extend that, the MOU, trying to find out what is Council's pleasure on doing that to make sure. I felt like we had some support in the request to extend it at least beyond the expiration of the contact with the Fire Department so that at least again we were covered through the negotiation period so that we could go ahead and get that prepared for approval but time before we actually do that I need to find indeed it's possible to get a I guess a reading of what is Council's stand on that so that way otherwise we can prepare a backup plan as to what we're going to do staffing wise.

Ms. Hausfeld – It was my understanding that we're supposed to be voting on that tonight. We said six months, which would give us through the negotiations with the Fire Department. I was told two weeks ago that's in April, correct?

Mr. Stuchell – You were the most supportive of the group, I just want to make sure that we're till good because then we will have that prepared but is that still good with everyone.

Mr. Culbertson – Jonathan I made the motion to do it so yeah, I don't know how much more supportive I can get.

Mr. Stuchell – That's my fault, so we'll have that ready before hand whether or not we'll have to ask Council to actually have a special meeting before the COW meeting to do that or not based on the calendar, I don't know if that's a possibility or not.

Mr. Culbertson – I fine with having a special meeting if that's what we need to do. Let's go ahead and schedule it for the next COW.

Chief Meyer – If we got support of Council I don't think we need a special meeting. If we pass it on December 7 which is the first meeting in December, the MOU goes through December 15 so we'll be fine with the regular meeting in December as long as we have support. If we're not going to have support, that's the thing I was saying last week that I would need a little more than a week to see what we're going to do if it wasn't going to continue. But if we got at least support of Council I think we will be good doing regular course.

Mrs. Bedinghaus – Peggy I just have a question about Workmen's Comp. The Workmen's Comp you mentioned that it's about \$252,947.00. Was it \$63,000.00 over what we paid this year. Is that what I'm understanding.

Mrs. Brickweg – Yes. Well last year we budgeted \$100,000, in 2017 we budgeted \$190,000.00, and then there's the \$10,000.00 that we paid for the Third Party Administrator. But now, if you remember in the last couple of years they've been giving us a nice refund but that's up to the Governor. So hopefully we would get back, we got the real nice one this year actually helped with the tax refund. But there's been years we didn't get it and there's been years we do get it. But they went to a new system and they started implementing it in 2015 where they (inaudible). So, I just got that today where they're saying it's going to be \$252,000.00.

Mrs. Bedinghaus – So this has nothing to do with the dollar amount of claims that we had?

Mrs. Brickweg – Oh yes it does. Well they have a formula. Based on the number of employees, based on the payroll and a bunch of different things, based on the number of claims we have. I don't have the exact number but looking at, I might have it here, they actually gave us what our claims are to date, I can give that to you in a second, I'll find it. It was almost a half a million dollars in claims this year.

Mrs. Bedinghaus – I don't know if the government is run like regular other businesses but I know, like I said, like our business, like Workmen's Comp when you went over that amount there was some categories that you could go to for, and again, I know enough to give a little be about it, so I didn't know if there was an opportunity for us to do anything different.

Mrs. Brirckweg – I'm a member of this group and I go to different meetings to tried to bring our rate down since we implemented light duty to bring our rate down but we had so many claims, and like I said our claims at like a half a million dollars

just this year. So, our rate is based on the number of claims we have and the number of employees we have and the number of days they actually missed.

Mr. Culbertson – Mayor you mentioned you have somebody you're going to interview for the vacant role in the Tax Department. Do you have any details where we can open that up to possible other people. You know other people might be interested if they knew what it was going to pay, the hours involved.

Mayor Estep – It was just handed to me yesterday. Somebody says hey I got somebody that's interested in that. So, yeah, it's open. I want to look and see how this person does in the interview. I asked Rick to be in on the interview with me because he knows more about what they do over there. It was brought to me by Lehanne. She said she is a very qualified person. So, if it doesn't work I'll let you know and we'll put some numbers out there and I am going to try to keep those part-time though.

Mr. Moore – Yeah, along those lines, let me run it passed you guys. Do we need to open it up? Post the job with the qualifications?

Mrs. Bedinghaus – I think that should be right way.

Mr. Moore – Okay, I mean that's fine. I didn't know how you wanted to do that.

Mrs. Brickweg – And I'd want to go on record that we do not offer part-time employees health care benefits because

Mr. Kalb – I just have a quick question for the Law Director or maybe Jonathan. At the last meeting we discussed raising the ticket prices but we also discussed raising the capias fee and we didn't, for the court, and we didn't know whether it was going to need an Ordinance or not. I didn't see it on the one that we tabled tonight so I didn't know if that was something we could do outside of an Ordinance

Mr. Peck – I addressed that in my report. We don't need an Ordinance. It's something that the Mayor's Court Clerk can do. Amberly did it and Reading. They just did it, but the Mayor's Court did it on their own. It's just technically a penalty, that way we keep the money without having to give it up to the State. But anyway for folks who repeatedly don't come to court and so you get dinged now if you don't do that.

Mr. Kalb – I apologize for tuning you out.

Mr. Peck – I'll work on that.

NEW BUSINESS

Mr. Tobergte – I have a question for Peggy and Jonathan. If we're doing a part-time secretary downstairs, do we need a new line item for I'm assuming.

Mrs. Brickweg – You know what, I think there is an old line item for that, let me look. I think they had a secretary a long time ago. It was before this system that we have but I remember seeing something but I will check.

Mr. Tobergte – Then do we have to change the line item for the tax clerk?

Mrs. Brickweg – That will still be Tax Clerk. The only issue you're going to have and I'm (inaudible) to you Mike if that's an appointed position where we pass the Ordinance of the pay step. I'm not sure how that works.

(overlapping chattering)

Mr. Moore – Speaking of appointed positions, Sharon was an appointed position. Does that make any difference in how we proceed?

Mr. Kalb – It is actually an appointed position, so much likely we can't change any salaries or benefits in between but we could, I would believe, not fill the position and create a new part-time tax clerk position and fill that. That might be the avenue to take. We can't put a part-time person in a full time appointed spot. You can't change an Ordinance mid election year.

Mr. Moore – Would we have to put an Ordinance together to create that position?

Mr. Asbach – I will place that on the COW.

Mrs. Bedinghaus – So is that the same thing for the potential secretary for downstairs?

Mrs. Brickweg – I thought that position was full time.

Mr. Tobergte – No, the secretaries in the past secretary, Milt, was full time.

Mrs. Brickweg – Like I said that was way before my time and I will try to see what I can find but I only said there is something on the books for that. Even if it was the pay would be (inaudible) if it was that long ago. So, we'll have to work on that.....

Mrs. Bedinghaus – Should that too be advertised?

Mr. Asbach – There was someone in between, wasn't Mrs. Condon down there for, there should be something more recent than Milt, way back when.

Ms. Hausfeld – We're saying that we're not hiring anybody until we get the ducks in a row and know what we're doing. I mean, we don't want to hire somebody and then have to change the pay Ordinance accordingly. Mr. Moore – I know it's in the future several months but we'd like to get somebody in as soon as we can and get them trained because tax season will be upon us January 31 of next year which is less than ninety days away. My other question is though, is it a foregone conclusion, and I'm going to kind of be the devil's advocate, that this be a part-time position? What Sharon did was really full time and if it's just a foregone conclusion that everybody that leaves or retires, whatever is going to be a part-time person?

Mr. Kalb – I would leave that up to the department head to decide. I mean if you think you could do it with a part-time position at 20, 25 hours or whatever it is below the health care threshold a week the number of hours it would be it would be a third route to save money. But if that's not possible then that would be up to you but Peggy I got a question for you. We used to have part-time help during tax season in the Tax Dept. way back in the day. There might be a line item.....

(overlapping chattering)

Mrs. Brickweg – A temporary employee but then I would like to make sure we do everybody right because you're hiring a temporary, then you're hiring full time and part-time in the Ordinance. But there is a line item that, if we can get that figured out there is one you could use in the meantime.

Mr. Culbertson – Can we get back to the question. I agree with Andy. I think there's an administrator decision whether that's the Mayor or whoever that involves and then you come back to, John you made it pretty clear what he would like it to be.

Mr. Moore – Do I have to come back and politic all these guys?

Mr. Culbertson – Or go around the corner to the other office?

Ms. Hausfeld – Marge Niesen asked me to reiterate this again. The St. Bernard Women's Club has an auction coming up on Monday, November 13. Doors open at 6:30, auction starts at 7:00. The bid is on gentle used and new items and refreshments will be served. She says, welcome all. Also, she is in charge of the Historical Society and Monday, November 20, 2017 is Car 54 Where Are You? It starts at 7:00pm, it's the Police Department past to present. St Bernard Village Department Heads series is as far as this particular meeting

AUDIENCE WISHING TO ADDRESS COUNCIL

Phil Stegman, 19 Orchard – This is all new but this is a question for Rick. This tax law has passed you said and when will that take effect as far as when will they start collecting the tax. And you made a comment in your report that there's a, they take a % and send the rest back, if this is all passed to where you could say how much the % is that they keep and how much they

Mr. Moore – The percentage is 1% off the top. So, if the top payer paid \$100.00, the State keeps one. And then they return that to us. There are some other glitches in the bill in that they keep the money, they only have to send it down to us on a quarterly basis. They can hold the money which would hurt our cash flow. But the bill has been passed. That's why we're testifying against it. There's actually a class action law suit that's going to be filed.

Phil Stegman – Yeah, I understand that. Are they going to start doing it this coming year?

Mr. Moore – It's going to start January 1.

Phil Stegman – They'll start collecting and it will go to the State and then come down.

Mr. Moore – As of right now it's still voluntary. I mean the companies, it's still on a voluntary basis for the companies. The company can opt in and choose to do that. The reason behind it though is if you've got multiple locations throughout the State, the way it's set up now if you file with each location and generally you pay once a quarter your net profit estimated tax, what the State is saying well we'll

simplify that and it will be more business friendly. You only have to send it up to the State and then the State Tax Dept. up there and the people up there will break that down and redistribute that money. The problem with it is that we lose all control.

Phil Stegman – You don't know if somebody is paying their taxes or not. I understand all that. I didn't know if that was going to take affect this coming year. We're going to start losing 1% of all the earned income tax we get from the revenue.

Mr. Moore – No not earned income tax and the residents. That profit tax from businesses. That's roughly 33% of our income. What we figure it's going to cost us \$30, \$35,000.00 a year, something like that. Did that answer your question.

Phil Stegman – Yes, thank you.

Kerry Meyer - I just want to give the citizens some information on the recently announced recall on fire extinguishers.

Kidde United Technologies, in conjunction with the U.S. Consumer Product Safety Commission has recalled almost 38 million Kidde fire extinguishers.

This recall involves two styles of Kidde fire extinguishers: plastic handle fire extinguishers and push-button Pindicator fire extinguishers.

For the plastic handle fire extinguishers: the recall involves 134 models of fire extinguishers manufactured between January 1, 1973 and August 15, 2017. The extinguishers were sold in red, white and silver, and are either ABC – or BC-rated. For push-button Pindicator fire extinguishers: the recall involves eight models of Pindicator fire extinguishers manufactured between August 11, 1995 and September 22, 2017. The no-gauge push-button extinguishers were sold in red and white, and with a red or black nozzle, these models were sold primarily for kitchen and personal watercraft applications. Metal handle fire extinguishers are NOT included in this recall.

The remedy to this problem is ton contact Kidde for a free replacement.

This replacement program was initiated because certain fire extinguishers can become clogged or require excessive force to activate, posing a risk of failure to discharge. In addition, the nozzle can detach with enough force to pose an impact hazard.

For more information or to find out if your fire extinguisher falls under the recall, contact Kidde at (855)271-0773 between 8:30 am and 5:00pm EST Monday – Friday (excluding holidays), or between 9:00am and 3:00pm on Saturday and Sunday. That number again is (855)271-0773.

You may also visit www.Kidde.com for more information or to determine whether your extinguishers are affected that's www.Kidde.com.

Mr. Asbach – I was wondering if we could get a copy of that for the Clerk and another copy for the website.

Chief Meyer – Absolutely

Mr. Tobergte – One thing I forgot, last Saturday was the National Take Back Drug Day, take back your unwanted drugs to the Police Department. I see where we have a box in the lobby down there anybody can do it at any time. You don't have to wait for the Take Back Day.

Mr. Ungruhe – Do you know if they do want the drugs in the original containers so they know what it is or does that matter to them?

Mr. Tobergte – Are you aware of that, I thought you had to, there's no syringes and stuff like that but.....

Derek Setters – No syringes, we just take the tablets, pills, those kind of things. You can bring them in the original cans, we're going to put them in plastic bags and dispose of them that way.

Mrs. Brickweg - I was given things to do regarding the part-time, I'm not going to be at the next meeting, so, if I get the information I will send it out but if anybody has any questions please let me know. And we were just talking, probably another idea when you look at the Resolution or the Ordinance that you have to pass, maybe the possibility that the Tax Department or the Village sends out a letter to our businesses that hey, these are our great services, we'd really like you to stay doing it the way you're doing it. Something like that and I don't know if you want to pass a Resolution saying that or not because I'm not going to be at the COW, I just wanted to throw that idea for you to think on.

Mr. Asbach – The next COW will be Thursday, November 15 at 7:00pm.

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