

**ST. BERNARD VILLAGE COUNCIL MEETING  
SEPTEMBER 13, 2018**

The regular meeting of the St. Bernard Village Council was held Thursday, September 13, 2018 in Council Chambers.

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

Roll call showed that six members were present: Mr. Tobergte, Mr. Bob Culbertson, Mr. Burkhardt, Dr. Chastain, Mr. Ray Culbertson and Mr. Siefert. Mrs. Bedinghaus was absent.

Mr. Tobergte made a motion to dispense with the reading of the minutes. Mr. Ray Culbertson seconded the motion. Council agreed 6-0.

**REPORTS OF VILLAGE OFFICIALS**

MAYOR, Mr. Estep – Not a lot to report on. Just had a great week. Had a nice lunch down at the Fire House with the Firemen. Great chicken salad. Enjoyed that and returned the favor by making them a homemade peanut butter pie. They said they appreciated that. I look forward to the Police and Fire Steak Fry this Friday down at the Pavilion.

AUDITOR, Mrs. Brickweg – The Auditor’s office provided Council and the Administration with the end of August, 2018 Expense and Revenue spreadsheets and Cash Fund Report. The yearly expenses were \$8,095,858.01 and the revenues were \$9,034,267.02. Year to date the revenues are \$938,409.01 over the expenses.

The Auditor’s office prepared Ordinance 27, 2018 which creates a new line item, 01-58-3D for the Dance Studio. It provides an additional appropriation of \$7,000.00 into the Dance Studio line item. It also provides \$8,000.00 into 05-MP-9 Streets and Sewers for repair needed to three street basins.

The County voted Tuesday on the summer budgets and will be mailing out the information for Council to vote on. I will prepare a Resolution for Council to vote on at the next Council meeting.

DIRECTOR OF LAW, Mr. Peck – Absent.

TREASURER, Mr. Ungruhe – (read by Mrs. Brickweg) As of the end of August the balance in the reserves Star Ohio account is \$3,430,455.38.

SAFETY DIRECTOR, Mr. Stuchell – I have the monthly report for the St. Bernard Fire Department for the month of August. Fire Incidents; 4 structure fires, 4 non-structural fires, 4 auto accidents, 2 hazmat incidents, 8 service calls, and 9 other calls with a total of 31 fire incidents for the month. Mutual Aid given; 2 to Norwood, 1 to Elmwood, 1 to Cincinnati, and 1 to Green Twp. 0 Mutual aid was received. EMS Incidents; 46 transports, 30 non-transports with a total of 76 runs. Details of Interest; 5 non-breathers, 2 unconscious, 2 overdoses, 3 auto accidents and 1 shooting. Mutual Aid given; 8 to Elmwood, 2 to Norwood and 1 to Cincinnati. Mutual Aid Received; 1 from Norwood and 1 from Cincinnati. Just to recap in the last month, again Bryan Young was promoted to Fire Chief and Bret Fogel was promoted to Lieutenant. The St. Bernard Fire Department participated in

CAP (Community Advisory Panel) meeting held at BASF on August 22. The Firehouse Subs Grant submitted for purchase of AED's.

I would also like to thank Firefighter/Paramedic Charlie Dodd for the 6 years of service that he has provided to the Village. He has accepted a position with the West Chester Twp. Fire Dept. Where he had been working on a part-time basis. Thank you again and we wish you the best.

The St. Bernard Fire Department will be hosting a Heartsaver CPR/AED class on Monday, Sept. 17 at 7:00pm at the Fire Dept. Please call 242-9555 to register.

As you have probably seen, our two newest Patrol Officers have been out on the streets with their Field Training Officers. Officers Alex Mathis and Aaron Grant are both progressing very well and we look forward to their independence very soon. I was glad to see Aaron working the detail at the St. Clement Festival this past weekend as he was getting a lot of people introducing themselves to him and hey "I haven't seen you before". We will be looking to fill another opening in the PD after our next testing process is complete.

I would like to thank both Chief Bryan Young and Chief Mike Simos for the great work that they are doing and also the members of both departments for their dedication to the community. We have a lot to be excited about for the future of St. Bernard and their involvement is key to our success. I will add the Service Dept. to that as well. Thank you all.

Lastly, I would like to thank Council for allowing the CIC Secretary, Meredith Hughes who is a real estate attorney to come and explain the necessity for the vacating of Andrew Avenue and also, the need to terminate the parking agreement between the former St. Bernard Development Corporation and the new Village of St. Bernard and its successor, the CIC.

The vacating of the portion of Andrew Avenue will allow for the necessary redevelopment of the shopping center and for full use of the dedicated service lane. The termination of the parking agreement will allow for the redevelopment of the shopping center and allow for the necessary use of all member parties to what will be the newly formed association that will maintain and manage the lot. Defined use and access to the parking lot for the members is necessary as the agreement expires in May of 2021. This would leave the parties without any easements or right to use the lot as intended.

SERVICE DIRECTOR, Mr. Paul – Republic will be raising the fee for the trash disposal by about \$5.00 per ton. Currently we pay \$34.23 or approximately \$6,000.00 every two weeks for solid waste and open containers. This increase will average out to be another \$21,000.00 per year in the upcoming year.

I have given you a photo of the Duke Energy easement proposal. This has been looked over and approved by our Law Director. If Council approves, a Grant of Easement will be drawn up and approved. I have emailed you a sample of the Grant of Easement.

The results are in for the Tower Ave. sewers. The sanitary sewer has pulled away from the main in two different areas. therefore, that is not our responsibility. MSD will have to do the repairs. However, the storm sewers on Ross and Tower need to be cleaned of gravel and the basin needs repair. The Girl Scout Lane storm sewer has two large objects that should also be removed, although it is not an emergency. The objects are a large stone and a sewer grate that must have fallen in several years ago. The appropriations for MP-9 line item, Streets and Sewers, are for the work and repairs to Ross and Tower Avenues basin and two basins on Meadow Ave.

While I am reporting on sewers, there is another matter that Council needs to be made aware of. I started looking at this matter while Moeller Avenue was

undergoing reconstruction. I had hoped to use some of those funds to help correct a problem of the park always being wet. There were no funds leftover. A resident in that area is now having flooding problem when it rains. It is always wet. I had the land surveyed and it appears for that resident to be flooded, the water must rise one to two foot before cresting over and flooding their patio. this led me to believe that this is a natural spring there, so I had our engineer out for a third time for ideas and estimates. The estimate was \$45,000.00 in prime season. JMA suggested we wait until Delmar Avenue project and have it estimated again, as the heavy equipment will already be here, if they would be willing. This latest rainfall caused the resident more problems. We should probably step up our efforts although I wanted to film the rise of water to see exactly where it is coming from, as the Village has not altered the land. Our engineer states at this point if we try to fix the park that may help the resident also. Keep in mind, this is not a guarantee. If this is the case then the line item will need a lot more funds, including funds for the surveying that has been completed, camera work and finally the funds for the park project itself. His letter is as follows:

Dear Tom:

Pursuant to your request, we have looked at a conceptual design to address the drainage in the park area between Chalet Drive and Heger Drive. The design includes installation of a new storm collector pipe parallel to the existing fence line. In conjunction, we are proposing that six, 4 inch diameter downspout lines be stubbed out to the fence/property line. These would be available for connecting to by the individual property owners.

Tom, it's my understanding that drainage has been an issue in this area for a number of years. I think an underdrain was installed over 20 years ago. I guess it's possible that it could no longer be functioning. The proposed design would at least make it possible to collect runoff from the houses that is currently directed to the park. In conjunction with a new yard drain installed on the north end, we believe the drainage issue could be alleviated.

That is from JMA, our engineer.

Moving on. We now have a "Subscribe Button" on our website page for anyone interested in receiving the e-newsletter. Just click on subscribe and fill in your information. The newsletter format is still under construction but should be up and running before you know it. We will keep you posted.

To my community:

I know I did a piece on peace but peace is screaming at me.

Peace is angry. There is a war on peace. Hold on a minute there, your mind says! Those words don't go together. Give me a little peace of mind. Yea! That's what I'm talking. Keep it peaceful and smooth, see? More of peace and good, mixed with peace and kindness that should bring about peace and calm to give peace and harmony a chance to allow peace and quiet. In this quietness, you will find peace and love then know the meaning and need for peace on earth.

TAX COMMISSONER/ADMINISTATOR, Mr. Moore – That was quite a piece of work. A couple of three things this evening. First of all, I put the Audit receipts in your mailboxes. As usual, if any questions or comments, let me know. Secondly, couple of things just kind of caught my eye, a procedural thing here in something we're doing. We're currently doing a mass billing to about 300 people who have not filed their 2017 taxes and they have either indicated they're on our database, that they've lived in St. Bernard or they have some way signed up using a St. Bernard address or whatever. So, about 300 plus of these letters are going out. You guys may hear about it. What is this? And I wanted to let you know. Just a reminder to everyone that every citizen over the age of 18 has to file an income tax

form with the City of St. Bernard. The only people who don't are those who have gotten specific exemptions from the Tax Office and if you retired or on SSI please come down to the Tax Office with your proof and we will be glad to put you on the exempt list and we won't bother you anymore. That's number one I wanted to let you know. The second thing FYI is sort of a procedural thing. In the past we have always given the people a payment plan. We said if you pay \$50.00 every other week, you're OK. That's become a nightmare. So, what we have instituted is the procedure where when you file your taxes, if you have taxes due, you're going to have ninety days to pay them in full. During that ninety days interest is going to accrue and penalties will be assessed. If you don't pay that in full within that ninety day period you're probably going to end up going to court. And the new magistrate sort of has a policy that if you go to court, you owe money, you're going to have to appear every court date. There is no longer this, well we'll continue. Right now we've got about, and I did a report this afternoon, we've got about \$100,000.00 in outstanding taxes from 2015, 2016, 2017 just from individuals and it is just actually become a nightmare. People say, well I want a payment plan, they pay once and you don't see them for three months. So, we've instituted this change, those folks that are on a payment plan, have been assigned by the court will be grandfathered in. We'll continue to honor that but going forward, people who file and owe money are going to have ninety days to pay in full.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Tobergte – Tuesday, September 18 at 7:00pm there will be a meet the candidate night for Congressional, State and County candidates. Thursday, September 20 at 7:00pm will be the Judicial candidates. Both meetings will be held in the Municipal Building. Finance Committee will meet Thursday, September 27 at 6:00pm in Council Chambers to discuss raises for some City Hall employees.

SAFETY, Mr. Ray Culbertson – Due to the meet the candidates night next week there will not be a Block Watch meeting as originally scheduled.

SERVICE, Mr. Siefert – I have the Service Department report for August, 2018. There were 30 Trucks placed at residences, 29 dumpsters placed at residences, 309 special pick-ups at residences and 203.96 tons of garbage taken to the landfill. For recycling; 40.73 tons of recycling material, 207 pounds of scrap aluminum, 24 pounds of brass, 28 pounds of copper and 12,470 pounds of scrap metal. I've been in contact with Michelle Balz, the Assistant Solid Waste Manager for Hamilton County's Recycling and Solid Waste District. Michelle did a presentation at our Council meeting back in February about the pay as you throw program. She is very insightful and provided me with several tiered options to look at and consider. I feel that our August trash fee collection numbers that will be coming in toward the end of this month will be our most solid data to date. I'd like to schedule a Service Committee meeting on Tuesday, October 2 at 7:00pm in Council Chambers. I like to invite Mike Wiedeman, Peggy Brickweg and Tommy Paul to the committee meeting as we go over these options to see what will work best for the Village and residents.

PUBLIC IMPROVEMENTS, Mr. Bob Culbertson – Just to remind the residents about the Police and Firemen Steak Fry this Friday at Vine St. Park. It's \$15.00 a ticket and then also this Saturday is the annual Kick for the Cause at Vine St. Park

and I'm inviting all the residents to come down, stop down, support a good cause down there. It's this Saturday.

Lastly, the CIC will be meeting this Tuesday at 6:00pm in the lower level to discuss several open items on our list.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – Absent.

BUSINESS AND INDUSTRY, Mr. Burkhardt – No report.

MARKETING, Dr. Chastain – I'm going to go off character for a second, as somebody who suffered at the Super Bowl in the 80s and 90s and has been in limbo since then, I want to wish the Bengals luck tonight because I think it would be a pivotal for the franchise and I would love to see a win. So, luck to the Bengals against the Ravens.

A Council Marketing Meeting on September 4 had a lot to discuss about the disillusion of the external Marketing Group and how the Committee should move forward without a marketing budget. It's hard to effectively market something having no funds and limited purchasing power. So, we would love, that's why the Village has planning some strings. There were discussions about various potential events for St. Bernard, including a food truck rally and a farmer's market. As Tommy Paul mentioned, the Village newsletter is moving forward. Once that's in place we will be moving forward with publication formats and Tommy and Heidi will kind of the end points control. After the delay on this, let's hope that the result looks as good as the website did after the initial delay on that because that looks great. We had some ongoing discussions about the walking or fitness trail, the potential of having a dog park in the Ludlow Park area, funding and physical effort will be the barriers there and the hope is that Paul Schildmeyer can help on the funding side once the Ross Ave. Park improvements is complete. And we did discuss the possibility of a funding source. The Marketing Committee meetings are typically at 7:00pm on the 13 day of every month in Council Chambers and the notice of this is scrolled across with other important events across the bottom of the Village website. We did have a great dual meeting with the Service Committee a month or so back so we're going to alter the next meeting and try to repeat that. So, the next Marketing meeting will still be Tuesday, Oct. 2, just like the website says. We'll actually start it at 7:30 right after Alan's Service Meeting. We would love to see more community involvement in all Committees meetings. So, I'm encouraging everyone to come to the Service meeting at 7:00 and stay for Marketing meeting at 7:30. Plans continue for the German Luau. It's continuing to move forward constructively under Alan's watchful eye and hopefully he'll give us an update on that.

Mr. Siefert – As Kelly mentioned we had a German Luau preliminary planning meeting this past week. I am very grateful that Jonathan Stuchell and Chris Sauer were able to attend as they have vast experience running big festival events. We wanted to address what made the German Luau THE German Luau. We don't want folks walking away saying, they didn't have this or they didn't have that. So, some of the most important things that we discussed were to make sure we had the pales of beer. We found out that the same company that made the pales from years ago is still in business so a call has been put out to them. We also talked about the importance of having a pig roast and Fort Laramie sausage. The plan is for the German Luau to be a three day event, the first Friday, Saturday and Sunday in August. We selected this time from because we didn't want it to conflict with the St. Clement festival or other major German festivals in the area. We plan on

having a live music and are working on logistics of stage placement. The plan is to shut down a portion of Vine St. For the event and divert traffic. We too invite all local businesses to participate and help sponsor this event to make it a success. We still have a lot of work to do and a ton of questions to answer but be sure that the German Luau is coming back to St. Bernard bigger and better than ever!!

Mrs. Kathman – The COW report has been emailed to Council and the Administration and reads as follows:

Committee of the Whole  
August 23, 2018

Roll call showed that all members were present: Mr. Tobergte, Mr. Bob Culbertson, Mr. Burkhardt, Mrs. Bedinghaus, Dr. Chastain, Mr. Ray Culbertson and Mr. Siefert.

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to approve the written minutes of the August 9, 2018 Council meeting. Motion passed 7-0.

Ms. Dominique Walker of Hamilton County Public Health gave an update of the “We Thrive Program”. The Community Information meeting will be held September 19 at 7:00pm to 8:00pm at JuJu Bees Coffee. Council only needs to pass a Resolution approving and supporting the “We Thrive Program” for St. Bernard.

Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to have Mr. Peck prepare a Resolution supporting the “We Thrive Program”. Motion passed 7-0.

Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to put Ordinance No. 28, 2018 on the table. 7-0. (The updating of Codified Ordinances)

Mayor, Mr. Estep – Informed Council of the Department Head meeting at 9:00am on August 24 discussing the five-year budget. Stated there will be a Classic Car Show on October 6 between 4:00 and 8:00pm on Vine St. in front of Wiedmann Brewery.

Auditor, Mrs. Brickweg – Thanked all the Department Heads for working on the five-year budget and the projected budget was given to members of Council. The Village was able to put \$500,000.00 into investments this week. Auditor’s office provided everybody with Ordinance No. 27, 2018 running the Dance Studio through the Village. She sees no negatives in this arrangement. Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to put Ordinance No. 27, 2018 on the table. (a new line item for the dance program) Motion passed 7-0. There is nothing special to set up for capital expenses as we already have a capital improvement fund. It was suggested by the County Auditor to go through line 07. Mrs. Brickweg also agreed with this. She will also get information to Mr. Bob Culbertson concerning proper staffing in the Departments. She would like to see the St. Bernard Dogs displayed in the Village spruced up.

Law Director, Mr. Peck – The St. Bernard Village has been dismissed from the Norton law suit. This is good news. There will be a Public Hearing on the Legal Notice of Violation against Norton on October 8. More information on the zoning hearing will be available soon.

Treasurer, Mr. Ungruhe – The statement from First State Bank totaled \$5,643.78.

Safety Director, Mr. Stuchell – The Release and termination of the restrictions due to the parking agreement between the City of St. Bernard and the former St. Bernard Development Corporation was discussed and explained by Meredith, Secretary of the CIC, and Real Estate Attorney.

Motion by Mr. Tobergte, seconded by Mr. Bob Culbertson to prepare an Ordinance for the release and termination of restrictions for the St. Bernard Square parking lot. Motion passed 7-0.

Discussion of public right of way in and around the Shopping Center proved earlier possession laws in error. Two things were requested by the new developer. The rock lane that runs between the Post Office and the building be cut out and given back to the Village. The CIC would no longer own it and it would go back to being a public road. The Village would be responsible for maintenance. The small strip along Vine St. would be changed similarly. Also, the median between Andrew Ave. and the Shopping Center is public right of way and we would like Council to vacate it so it can be kept with the Shopping Center and the new developer can continue to use it.

Motion by Mr. Tobergte, seconded by Dr. Chastain to put an Ordinance on the table to vacate the truck lane in the Shopping Center. Motion passed 7-0.

Motion by Mr. Tobergte, seconded by Mrs. Bedinghaus to put an Ordinance on the table to take the property back from the CIC if necessary. Motion passed 7-0.

The use of the old police station as an office for the building of the new school was discussed.

Motion by Mrs. Bedinghaus, seconded by Mr. Siefert to put an Ordinance on the table to transfer the police station property to the CIC. Motion passed 7-0.

Service Director, Mr. Paul – Would like to see an Ordinance for a raise for the City Clerk. This was put in the Finance Committee.

A temporary crosswalk will be put on McClelland Ave. for the library patrons.

A grant for repaving Langley and McClelland has been applied for.

The sewer on W. Ross has been fixed. The sewers on Delmar, Tower and Girl Scout Ln. are being photographed so we can proceed with fixing them.

The residents will be updated often on the new school construction inconveniences.

The railroad buildings will be gone, all of them, very soon.

Tax Commissioner/Administrator, Mr. Moore – August figures will be provided by the next Council meeting.

A replacement for Bob Culbertson on the Tax Review Board has been found and Mr. Moore would like to swear her in at the next Council meeting.

Finance, Mr. Tobergte – The school developer has been told “no”. He cannot use the lot next to the town homes on Tower. Gravel lots are not permitted in St. Bernard. It has not been determined whether the use of the pavilion for parking will be allowed. Parking will not interfere with the normal recreation programs for residents.

Thanked Dr. Chastain for coming to the Town Hall meeting.

Asked Council to decide whether they want the special fund or not.

Service, Mr. Siefert – The waste collection fee for July was \$24,910.01. Once an idea is known about monies received regularly a meeting will be had to discuss the next step.

The billing procedure was explained by Mr. Siefert.

Public Improvements, Mr. Bob Culbertson – Encouraged everyone to come to the CIC meetings. The next meeting will be September 18 at 6:00pm in the lower level of city hall. There has been progress on Cleveland Ave.

Marketing, Dr. Chastain – His committee is just the Marketing Committee now, meeting monthly. The next meeting is Tuesday, September 4 at 7:00pm in Council Chambers. Would like to be included in the “Annual Manual”.

Audience:

1. September is National Child Passenger Safety month. Auto dealers are sponsoring a program. Officer Joe Meister is a car seat technician and can be contacted at 242-9555. Literature will also be posted on the website.
2. The Fire Department is flow testing and painting fire hydrants. The different colors determine pressure.
3. The AED grant is being finalized and will probably be around \$24,500.00.

Resolution and Ordinances for the next Council meeting:

1. Resolution supporting the “We Thrive Program”
2. Ordinance to run the Dance Studio through the City’s budget.
3. Ordinance for the Codified Ordinances.
4. Ordinance for the release and termination of restrictions for the Shopping Center parking lot.
5. Ordinance to give police station property to CIC.
6. Ordinance to vacate the truck land in the Shopping Center.
7. Ordinance to take property back from the CIC if necessary.

Motion by Mr. Ray Culbertson, seconded by Mrs. Bedinghaus to adjourn. Motion passed 7-0.

## **COMMUNICATIONS**

None.

## **RESOLUTIONS AND ORDINANCES**

Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to read this evening’s Resolution and Ordinances by title only. Motion passed 6-0.

**RESOLUTION NO. 02, 2018. RESOLUTION IN SUPPORT OF THE VILLAGE OF ST. BERNARD PARTNERING WITH "WETHRIVE" INITIATIVE.**

Motion by Mr. Tobergte, seconded by Mr. Siefert to suspend with the second and third reading of Resolution No. 1, 2018. Motion passed 6-0.

Motion by Mr. Tobergte, seconded by Mr. Siefert to adopt Resolution No. 2, 2018 as read. Motion passed 6-0.

Mr. Asbach – Could we have the third reading of Ordinance No. 23, 2018.

ORDINANCE NO. 23, 2018. FIXING THE COMPENSATION AND BENEFITS FOR BOTH THE POLICE AND FIRE CHIEF OF THE VILLAGE OF ST. BERNARD AS OF JULY 26, 2018 AND DECLARING AN EMERGENCY.

Motion by Mr. Burkhardt, seconded by Mr. Ray Culbertson to adopt Ordinance No. 23, 2018 as read. Motion passed 5-1. Mr. Tobergte voted no.

ORDINANCE NO. 27, 2018. AUTHORIZING AND DIRECTING THE AUDITOR TO ESTABLISH A NEW LINE ITEM AND PROVIDE AN ADDITIONAL APPROPRIATION DECLARING AN EMERGENCY.

Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to suspend with the second and third reading of Ordinance No. 27, 2018.

### **REMARKS**

Mr. Tobergte – Just so everybody knows, the Dance Studio line item is for the dance program. The Recreation Department is taking that over this year.

The motion to suspend passed 6-0.

Motion by Mr. Tobergte, seconded by Mr. Burkhardt to adopt Ordinance No. 27, 2018 as read. Motion passed 6-0.

ORDINANCE NO. 28, 2018. 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 Mr. Tobergte, seconded by Mr. Burkhardt to suspend with the second and third reading of Ordinance No. 28, 2018. Motion passed 6-0.

Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to adopt Ordinance No. 28, 2018 as read. Motion passed 6-0.

ORDINANCE NO. 30, 2018. AN ORDINANCE TO AUTHORIZE THE RELEASE AND TERMINATION OF RESTRICTIONS TITLED “PART I OF THE CONTRACT FOR SALE OF LAND FOR PRIVATE REDEVELOPMENT” AND DECLARING AN EMERGENCY.

Motion by Mr. Tobergte, seconded by Mr. Burkhardt to suspend with the second and third reading of Ordinance No. 30, 2018.

### **REMARKS**

Mr. Tobergte – Just a question for Tommy and Jonathan. Since the city is no longer responsible for the parking lot, is the CIC going to start paying the city for sweeping the parking lot or are they going to hire a private contractor?

Mr. Stuchell – Right now, currently, I guess we could pay for doing it, it is still listed as public needs. Once it will no longer be for public use, when the sale of it

takes place, the associations itself, the newly formed association will be paying for all maintenance, snow removal, sweeping and what not. For right now, currently it is listed as public needs for everyone there. That has not changed. If you're putting it on the table that right now we should be paying, we would have to work on that but it is technically open needs for everyone in the Village. If possible, we'd like to keep it the same until the sale actually goes through. When it's no longer a public lot and it is maintained by the association of governing bodies if that is still OK.

Mr. Tobergte - I understand it is for public use but since the city no longer owns it, the CIC owns it, we would be cutting CIC grass now. I see no difference myself.

Mr. Bob Culbertson – Don, I believe we're also not incorporating their lease and we're going to let the Postal Service to continue to park on that, correct? That lot?

Mr. Stuchell – The actual developer itself is absorbing the actual perpetual lease itself and accommodating the Post Office clause keeping that actual lot for now, the actual lease does allow us to move them a little farther away if it's necessary but that's going to be up to the developer and how they see fit. The developer is basically using that cost and occupying that area so we are currently having to deal with something that the Village is obligated for.

Mr. Paul – I have no objection to continue cleaning that spot until it's no longer public.

The motion to suspend passed 6-0.

Motion by Mr. Tobergte, seconded by Mr. Burkhardt to adopt Ordinance No. 30, 2018 as read. Motion passed 7-0.

**ORDINANCE NO. 31, 2018. AN ORDINANCE APPROVING THE VACATION OF A PORTION OF ANDREW AVENUE PURSUANT TO R.C. 723.05, AND DECLARING AN EMERGENCY.**

Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to suspend with the second and third reading of Ordinance No. 31, 2018. Motion passed 6-0.

Motion by Mr. Tobergte, seconded by Mr. Bob Culbertson to adopt Ordinance No. 31, 2018 as read. Motion passed 6-0.

## **OLD BUSINESS**

Mr. Tobergte – John, with the five year budget coming out, since the budget is passed and devised, are we going to have meetings, are we going to work on next year's budget, merge the two? I'm not sure what you want to do with that.

Mayor Estep – Yes, I would like to get with you and Tom and have a proposed budget and then look at that and give it to Council.

Mr. Ray Culbertson – Since Tommy brought this up in his report, what are the next steps for the Chalet, Heger, are we looking at waiting for the next rainfall to track it or are we looking to find the funds to spearhead the project? It was kind of open ended there.

Mr. Paul - I had to be open ended. My plan was to actually see where the rain is backing up and how it can lift a foot to two feet to go over into that residents property but if it's a natural spring and there's only a possibility that it can be fixed we may be throwing money down the drain. But then again it is unfair to that resident also if it comes from the Village property. So, my goal was to find out exactly where it was coming from. But that's all in the timing because if we get a heavy rain, it backs up, it overflows, we don't know exactly where its coming from. It's quite a bit of money. Again, JMA, they do believe that if the company is already there with heavy equipment and it's not prime season, summertime is when they do a lot of their work, that price will drop. That's his belief. So, I have to leave that up to Council. You're the ones taking the calls on this. I had a few but I started working on it like a said about a year ago and then I do apologize to them but without the timing and without finding out its true cause, I don't know that we should just rush ahead and dump that kind of money into something that may or may not help.

Mr. Tobergte – In my opinion with the problem up there, I like to see t's crossed. I know JMA gave us a ballpark figure and I did contact a couple of excavating agencies to see if they could give an idea of the cost. It won't hurt to have a (inaudible) we have to do it but I hate to spend that kind of money, but if we have to we have to.

Mr. Paul – My intention would be if Council wants to move ahead on it, I would get some more bids. That would be three. Because the first one was a legitimate bid from the Ford Development Company. But again, that was prime season. I'll go get two more bids, we'll look at it again, what we got laid out, what we got planned and see they may come up with other ideas also. I'll do that.

## **NEW BUSINESS**

None.

## **AUDIENCE WISHING TO ADDRESS COUNCIL**

A letter was received regarding the zoning variance of the billboard sign on W. Ross. Would like to know how the Village intends to handle enforcing the laws of the Village concerning this sign.

The Village has chosen a zoning board and more information on this meeting will be given when the Village receives the packet from Mr. Stoka. The meeting is scheduled for October 8.

Mr. Stuchell – On behalf of the CIC I would like to thank Council and the Administration for their cooperation and assistance in the passing of Ordinances 30 and 31. As we progress through this process in trying to redevelop the shopping center we are trying to unravel some of the difficulty that was created in the past. But by doing this, you are assisting us in moving forward. It's not done yet but we're getting much closer and this will assist us in completing this process and this deal. So, I really would like to thank you all for giving your immediately attention to this.

Motion by Mr. Tobertge, seconded by Mr. Culbertson to excuse the absent member. Motion passed 6-0.

Mr. Asbach – The next COW meeting will be Thursday, September 27, at 7:00pm.

Motion by Mr. Ray Culbertson, seconded by Mr. Burkhardt to adjourn. Motion passed 7-0.