

**ST. BERNARD CITY COUNCIL MEETING  
MAY 17, 2007**

The regular meeting of the St. Bernard City Council was held Thursday, May 17, 2007 in Council Chambers.

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

Roll call showed that all members were present: Ms. Hausfeld, Mr. Asbach, Mr. Schildmeyer, Mr. Burkhardt, Mrs. Brickweg, Mr. Meier, and Mr. Zix.

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

**REPORTS OF CITY OFFICIALS**

MAYOR, Mr. Estep – I was impressed by the presentation tonight by Dr. Romanos and everybody is downstairs and hopefully we'll join them in a minute.

I'm also very pleased and excited about the Economic Development Committee that we've formed. Council appointed elected officials. We met last night and made progress, a very positive meeting. We're meeting again next week, everybody has some homework to do and we're going to move forward with trying to define the responsibilities and who this person would report to help us with our future.

Joe and I have been looking into bringing back the Medical Bus on somewhat of a limited basis. The last time we had the Medical Bus, Joe did a cost analysis and it was about \$25.00 per trip. With the cost of fuel the way its gone today it would certainly cost us a lot more money but we're going to be making an announcement about having people sign up telling us where they're going, what day they have the Drs. Appointment and how we can try to implement that on a very limited basis. Part of the reason it was brought up, there was someone who came to Council and talked about us transporting a student in a wheel chair to school. That is no secret whatsoever. Last year, two years ago, as a matter of fact, I was in a meeting at school, the taxpayers actually pay for that indirectly. When a student is on an IEP you have to abide by that IEP whatever the State mandates and one of the mandates in this case was transportation. When the school district goes outside the City and hires a transportation service such at UTS, sometimes it runs about \$70.00 a day to transport these students. When I heard that in the meeting I thought, how can I save the taxpayers money. So, we signed a contract with the City and the school to do it for \$10.00 a day. We didn't hire anybody, the bus is sitting down there, it's a way to make it a win, win situation and serve the residents in our community especially a kid in a wheel chair. We signed two contracts as a matter of fact, last year school was 182 days a year, comes out to around \$1,800. per student. So it's a win, win, it saves the tax payers money, generates a little bit of money for the City and the families are just elated that we provide this service for their families. This child surely didn't choose to be in a wheel chair the rest of his life and we should certainly do what we can to help that family. If anybody is interested and you are in need of a daily thing like that

let us know how we can help, if we want to sign a contract. Next year it's going to have to go up, probably \$15.00 a day, but it's still a win, win for the City and the taxpayers.

You'll be getting a couple messages on call-command for Memorial Day which will be Monday, May 28, we'll assemble at Bertus and Park Place at 9:00. We'll give out coupons to any child who puts their bike decorated and rides in the parade. We'll leave approximately 9:30 and we should be down at Vine and Washington about 20, 25 minutes later to honor our Veterans. Also you'll be getting some information about 4<sup>th</sup> of July. We will have 4<sup>th</sup> of July at Ross Park again, we'll have fire works and this year we're going to throw in something new. We're going to have a kickball tournament. You'll find out about anybody that wants to enter kickball tournament, 18 years of age and older, if you want to enter a team, it's \$50.00 a team. Anybody who plays in the tournament gets to swim free that day.

AUDITOR, Mr. St. Clair – Reports for the City's investments and bank accounts have been distributed to Council and members of the Administration.

Before Council tonight is Ordinance No. 21, 2007. As discussed at the COW, this Ordinance transfers funds from the General Fund to the following cash accounts: Swimming Pool Fund, Master Plan Fund, and General Bond Retirement Fund. These transfers are necessary to cover the appropriations in those funds. This Ordinance also increases appropriations to the General Fund transfer out line item and adjusts appropriations by \$12,000 from the sidewalks line item to building maintenance City Hall line item.

DIRECTOR OF LAW, Mr. Geiser – Before Council tonight are two new Resolutions and two new Ordinances that I prepared for this evenings as requested at COW. Resolution No. 2, 2007 is St. Bernard's Resolution urging the Ohio Legislator to approve the 2008 budget for the Hamilton County Public Library. When I put these things together sometimes I really don't have a good idea what exactly Council is looking for so I do the best I can putting in the language that I assume that you are wanting. This particular Ordinance, we had passed an Ordinance back in 2002 that was very similar, asking for the same situation, only at that time we were opposing because they were going to deduct or reduce the amount of appropriations for the budget which they did. In this particular Ordinance, I put in Section 2, and I invite you to read it. In order to help to facilitate this Ordinance I'm asking that the Clerk send a copy of this to our Ohio House of Representatives and also our representative of the Senate and also send a copy to the Governor. Those are the three powers which will pass this Ordinance. I put that in there hoping that by directing in that direction we'll get a little better effect.

Ordinance No. 3, 2007 is St. Bernard City Council's recommendation to the Board of Zoning Appeals to deny the conditional use permit for the plasma center at St. Bernard Square. Again this recommendation in Section 2 and 3 indicates that the Resolution will be sent to, if passed to the Board of Zoning Appeals.

Ordinance No. 22, 2007 is the enactment of an Ordinance for open burning. I went ahead and assigned Chapter and Section Numbers to all the various sections there to make it a little clearer and also easier for it to be codified in our codified Ordinance book.

And last, Ordinance No. 23, 2007 approves a contract for the Arial ladder. You'll notice in the Ordinance that it references and attach exhibit A. You may or may not have a copy of the actually contract, if you would like to look at it, it should be attached to the original, or will be attached to the original but not everybody has a copy of the actual contract, but the dollar amount is stated in the Ordinance.

TREASURER, Mr. Kathman – No report.

SAFETY DIRECTOR, Mr. Stuchell – To start on a positive note, I would like to report that both officers McCreanor an Setters have completed their field training and are now on their own. I'm very proud of their accomplishments and the way that our entire dept. has partnered in the training process of these two officers. Also as you are probably aware, this is currently national police week. The names of 145 law enforcements officers killed in the line of duty during 2006 were dedicated on the walls of the national law enforcement officers memorial, Sunday night in Washington, D.C. Thirty Seven states, including the District of Columbia and Puerto Rico all lost officers during 2006. The state of California lost 16 and had the most officers killed in the line of duty last year, followed by Virginia, with ten, Florida and Texas with nine and Illinois with eight. Also five law enforcements officers from Federal Agencies and two from the military dies last year. Now there are 17,917 fallen law enforcement officers whose names are engraved on the memorial. So if I could, if I could ask at the conclusion of my report that we please end in a moment of silence for those officers that lost their lives in this last year.

Pause for a moment of silence.

SERVICE DIRECTOR, Mr. Kempe – The work on the Woodside Heights Project is continuing. The new water lines, storm sewers and storm lines are installed. The next phase is tearing out and installing new sidewalks, curbs and drive aprons. When that is complete, the streets will be repaved. This has been an especially difficult project for the residents to bear because of the limited access into and out of the subdivision, as well as the narrowness of the streets. I want to express my sincere gratitude for their patience and understanding.

The new Gateway Wall located on Vine St. across from Ross Ave. is nearly complete. All that remains to be installed is the head stone with the St. Bernard emblem.

The work on replacing the ramp to the Municipal Building began this week and I expect it t be finished by Friday, May 25<sup>th</sup>.

The City has received official notification from the Hamilton County Department of Community Development authorizing us to proceed with the 2007 Block Grant Program. This allows us to begin the process to repave Errun Lane and Advance Avenue.

I want to remind everyone the pool opens on weekends beginning Saturday, May 26<sup>th</sup> and daily starting Saturday, June 9<sup>th</sup>. Hours this year will be Noon to 7:00pm and the rates will remain the same as last year. Please see other information about the pool and summer activities offered by the City in the Spring Recreation Newsletter.

I attended the Library Board of Trustees meeting on Tuesday and they presented the 2008 Operating and Capital Budget which will be presented to

the State. The budget is in the amount of \$72.7 million which will require State funding in the amount of \$62.8 million. The State funding has been frozen for the last two fiscal years at approximately \$48.3 million. In the proposed 2008 budget, the St. Bernard Branch Fund reflects \$3.6 million for the building of a new library. The State should decide by June 29<sup>th</sup> the amount of funding given to the Hamilton County Library. If the amount funded by the State is once again frozen at the \$48 million amount, the Library will not have enough funding for any new building. Any amount over \$48 million will be used for capital outlays such as the building in St. Bernard. Kim Fender did say the building in St. Bernard has priority over the buildings in Reading and Woodlawn, which means if the State funding were to be \$55 million or more, there would be enough funding for the St. Bernard Library building.

TAX COMMISSIONER, Mrs. Williams – No report.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Zix – The Finance met to review the 2008 preliminary budget to submit to the County at the end of June. I would like to thank Joe Kempe and Walt Moeller and all the department heads for their preparation of the budget and review with us. I'm sorry Walt St. Clair. I will distribute this budget to Council and the Administration for review at the COW next week.

SAFETY, Mr. Burkhardt – The April police report for April 2007; Calls for service were 906 for the month.

With the summer just around the corner, pools will be reopening soon. The Safety Committee would like to remind everyone of some general safety tips and recommendations from the American Red Cross. Most importantly is to learn how to swim and never swim alone. Swim in areas that are supervised by lifeguards or at the least in the presence of adult supervision. For those with home pools, never leave a child unsupervised around water. Enclose the pool completely with a fence that has a self closing, self locking gate. Keep toys away from the pool when not in use. Toys can attract young children into the pool area and possibly into the pool. Whenever the pool is in use, have a phone nearby just in case of an emergency. Do not leave furniture around the fence that would enable a child to climb over the fence. These are just a few safety tips, contact your local Red Cross office or visit their website for more summer safety tips.

SERVICE, Mr. Meier – Starting off tonight I would like to express my appreciation to all the citizens who gave me their support especially with this plasma center, sometimes at least for the last few months or so it seems like I'm the odd man out up here but I definitely appreciate the support of the people and the support of the other people on Council, particularly on the plasma center.

The Service Committee did meet last week and our recommendation is that we, as Council, allow the CIC to proceed with JMA to do a needs assessment to find out exactly what would be needed for the relocation of the Service Department. One of the things that the Committee would like to do is to identify the amount of space that would be needed for the department with the move, with the highway expansion is that we at least

reserve that amount of space on the Nu-Maid site so that with future planning we can then allow Everest Marketing to market the remainder of that site. When the time comes and we get whatever funding from the State to move the garage, we will at least know that we will have some place for those people to go and their equipment. That's not to say that if at that time we can find another site that would be a better site, that we could move to it, but at least this way we would know where, we would at least have one spot for that garage to go. If we think it very important that if for the benefit of the people that work in the Service Dept. and their families that they can at least have some security in knowing that even if they were to lose the garage from its present place which likely will be, we will have a place for them to go. As I stated in the meeting last week, St. Bernard takes care of our own. The people in the Service Dept. are our own so lets make sure that we have a place for them. So I would like to have Council's approval to proceed with that needs assessment so we will know exactly what we're looking at in the future and begin that process.

PUBLIC IMPROVEMENTS, Mr. Asbach – I would just like to report that thanks to Walt Moeller that our community reinvestment area has been confirmed by the state. I would definitely like to thank Walt Moeller, he put a lot of time and effort into correcting some problems we had to get this pushed through so as of May 7 we are confirmed by the State.

LAWS, CONTRACTS & CLAIMS, Ms. Hausfeld – Laws, Contracts & Claims Committee recommends passing Ordinance No. 22 which deals with open burning. This Ordinance is a chapter and is intending to promote the public health, safety and welfare and to safeguard the health and comfort living condition safety and welfare of the citizens of St. Bernard by regulating the air pollution and fire hazard of open burning and outdoor burning. This is an Ordinance that Gerry Wiedman, Walt Moeller and Chief Scherpenberg worked on and at this time I would like to thank all three of those guys for helping my Committee with this Ordinance and being proactive in this case.

BUSINESS & INDUSTRY, Mr. Schildmeyer – I was impressed with Dr. Romanos' presentation tonight. After sitting in on the Master Plan years ago back in '98 when we got that together, I know how much time and effort it takes to put something like this together and I want to thank everybody on the Committees and on Council and to the Administration for getting this together and advising to stay with it and just punch on through this whole process. It's long, it's hard, it's some big decision making, but the outcome looks really good, from what the description of Dr. Romanos' presentation presents. Some great ideas, some things were brought up back in '98 Master Plan where it was in his presentation also, so I hop we can all work together and keep this moving.

Also, Joe, I think the Medical Bus idea is a good idea. I think it's needed, I hope we can work that out, I think that's another vital part to the community.

HIGHWAYS & TRANSPORTATION, Mrs. Brickweg – Before I read my report, I do want to tell Joe and John that I am still working on, I announced it last week, a possible grant that will help pay for the Medical Bus and possibly pay for Dial-A-Ride, the paper work for that one is due in August and I'm just gathering all that to get together. I did get the paper work

dropped off for the resurfacing on Vine St. and from what it appears it looks like we would be on the very bottom rung of that grant but the person that was helping me with that has decided to go another route and he's going to work on something that where we can actually redo Vine St. with revitalization of Vine St. and the stores. We could do the street at the same time so when I get that information for that grant together I will pass it on, but just a reminder that hopefully we can get some money for the Medical Van and the new Dial-A-Ride bus with the future grants that I am working on.

I want to inform the residents that a committee to discuss St. Bernard hiring an Economic Developer met last night. We discussed what an Economic Developer is, what their responsibilities are and how we think hiring such a person would benefit the City of St. Bernard. I contacted around 30 municipalities today to gather additional information on Economic Developers and I will organize and summarize this information for the next meeting. We will be meeting next Wednesday, May 23<sup>rd</sup> at 7:00pm in Council Chambers.

After reading Dr. Romanos' Economic Development Study of St. Bernard, I found something that I thought summarized it all and explained what we need to get the ball rolling:

"This report will serve as the foundation for making strategy recommendations for the revitalization efforts. With the information, the community of St. Bernard can make choices and decisions that will build on their strengths and/or eliminate or diminish the impact of their weaknesses. The City needs a strong leadership and vision, in order to drive revitalization efforts."

Now is the time for All Council members and the Administration to work together for a common goal, "The Revitalization of St. Bernard". We need to work together to prove to the residents that "we can make this happen, it won't be just a plan, it will be implemented." Council will need to appropriate funds to make the changes, but by investing in our City we will improve our City. Between tonight and last night, I think we have turned a page. We have all come together and realized we need to hire experienced-professionals to make the goals of our City a reality.

I want to thank Dr. Michael Romanos and his students for very comprehensive, honest, professional report. I am very impressed and appreciative for all your hard work. I also want to thank everyone that attended last night's meeting and encourage you to attend next week.

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

### **Committee of the Whole May 10, 2007**

1. Council approved the minutes of the May 3<sup>rd</sup> Council meeting, 6-0, Mr. Asbach absent.
2. Council created a committee to look into hiring an economic developer. Members are Greg Zix, Peggy Brickweg, Patty Hausfeld, Gerry Wiedman and John Estep. The first meeting will be May 16, 2007 at 7:00pm in Council Chambers.

3. After some discussion Council has asked Mr. Geiser and Mr. Wiedman to look into possibly rezoning South Vine St. And Walt Moeller is looking into what is happening with the KFCX property. Council also voted 6-0 to a resolution on the table for next Thursday opposing the Plasma Center, which is to go in the shopping center.

4. The Safety Director is looking into the dog complaint on Baker Ave. and will report back to Council.

5. After a short discussion Council agreed to have Dr. Ramonos come to the next Council meeting and present his proposal for Vine St. redevelopment. He will address Council and anyone wishing to attend at 6:30pm in Council Chambers before the Council meeting.

6. Mayor John Estep

A. The Mayor reminded everyone of the Memorial Day Parade on May 28<sup>th</sup> at 9:00am. The parade will start at Bertus St. Park.

7. Auditor, Walter St. Clair

A. Council voted 6-0 to put an ord. on the table for a transfer of funds for the Swimming Pool, Bond Retirement Fund, and the Master Plan.

8. Director of Law, Edward Geiser

Ed reported that the State of Ohio has updated its laws on Public Records. Ed also reported that the Mayor's Court is running smoothly.

9. Safety Director, Jonathan Stuchell

A. Council voted 6-0 to put an ord. on the table to purchase the new Aerial Truck for the Fire Dept.

10. Service Director, Joe Kempe

A. Council voted 6-0 to add a transfer of funds to Walt's ord. to cover the extra expense to replace the ramp at the Municipal Building. Joe is also looking into replacing the basketball courts at the Chalet Park. He will get prices and report back to Council. Council also voted 6-0 to put a resolution on the table for next Thursday to send to the State House in favor of more money for the public library system for 2007 & 2008.

11. Tax Commissioner, Sheri Williams, absent (Walt St. Clair giving her report).

A. Sheri will have the 2008 projections in her next monthly report to Council.

12. Laws, Contracts, & Claims, Patty Hausfeld

A. Council voted 6-0 to put an ord. on the table for next Thursday for Outdoor & Open Burning.

13. Public Improvements, Steve Asbach, absent.

14. Business & Industry, Mike Schildmeyer, no report.

15. Safety, Bill Burkhardt, no report.

16. Highways & Transportation, Peggy Brickweg  
A. Peggy is working on getting information on grants to resurface Vine St. and for the Medical Bus.

17. Service, Kevin Meier  
A. Kevin reported on his committee meeting about the needs assessment on the Nu-Maid property and whether the Service Garage will be a good fit for it.

18. Finance, Greg Zix  
A. Greg reported on his committee meeting on the 2008 budget.

Respectfully submitted,  
Bill Burkhardt  
President of Council, Pro-Tem

## **COMMUNICATIONS**

None.

## **RESOLUTIONS AND ORDINANCES**

Motion by Mr. Burkhardt, seconded by Mr. Asbach to read tonight's resolutions and ordinances by title only. Motion passed 7-0.

**RESOLUTION NO. 2, 2007. A RESOLUTION URGING THE OHIO LEGISLATURE TO APPROVE THE PROPOSED 2008 BUDGET OF THE PUBLIC LIBRARY OF CINCINNATI AND HAMILTON COUNTY, INCLUDING THE FUNDING OF A NEW ST. BERNARD BRANCH LIBRARY BUILDING, AND DECLARING AN EMERGENCY.**

Motion by Mr. Meier, seconded by Mr. Burkhardt to suspend with the second and third reading of Resolution No. 2, 2007.

## **REMARKS**

Mr. Zix – I too would like to encourage the citizens to write their House Representatives, the Senator and the Governor's Office supporting this Resolution and the budget of the library.

Mrs. Brickweg – Just to add to Mr. Zix' idea, maybe it would help if we could get Glenna to put our Representatives names and addresses on the website and that way it would make it a lot more easier for them to go ahead and contact them.

Mr. Asbach – The confirmation of our CRA actually has it, its Tyrone Yates as our State Representation and Eric Kearney as our State Senator addresses I don't have readily available but at least that will get us started.

Mr. Geiser – When I wrote this I put together not an all or nothing, if they don't pass the whole budget, try to put a reference to the fact that we're trying to get this library. I would recommend that Council entertain a motion afterwards to have Mr. Kempe that he just wrote with the numbers in

there, I think he referenced \$55 million if we get the \$55 million then we'll probably get a library. If that letter could be attached from the Mayor or from your office, Joe, putting in and explaining the details of what we're really looking for and what the budget numbers are, that might help in providing what we're looking for.

Motion to suspend passed 7-0.

Motion by Mr. Burkhardt, seconded by Mr. Schildmeyer to adopt Resolutions No. 2, 2007 as read. Motion passed 7-0.

Motion by Mr. Burkhardt, seconded by Mrs. Brickweg to attach Mr. Kempe's letter to Resolution No. 2, 2007 to be sent to Columbus. Motion passed 7-0.

**RESOLUTION NO. 3, 2007. A RESOLUTION URGING THE ST. BERNARD BOARD OF ZONING APPEALS TO DENY THE CONDITIONAL USE PERMIT APPLICATION SUBMITTED FOR THE PURPOSE OF OPENING A PLASMPHERESIS CENTER IN THE ST. BERNARD SQUARE SHOPPING CENTER, AND DECLARING AN EMERGENCY.**

Motion by Mr. Burkhardt, seconded by Ms. Hausfeld to suspend with the second and third reading of Resolution No. 3, 2007.

## **REMARKS**

Mr. Zix – From what I heard it's my understanding that this was denied by the Zoning Board but I think we should still pass this Resolution. With the support to deny it, I would like to thank everyone, this is one of the most controversial issues I've seen in the many years I've been on Council that has come up and I would like to thank them for denying that.

Mrs. Brickweg – I also would like to thank them for denying it, I think this is a very important move on our City, we do need to realize that there could be litigation with this but as I said to Gerry last night, I think we can deal with that if it happens. I personally said if it continues, I wouldn't mind getting a group of people together and tell them we're going to picket the place if they put it here because I'm thinking if somebody is moving a business here and they think the residents are that opposed to it, maybe they'll decide not to sue us, maybe they'll decide to move elsewhere. But I will say I really did not have one resident come up to me and tell me that they wanted this and I just think it's a great step forward and a move forward to not have a plasma donation center here and I would like to thank the Zoning Board also.

Mr. Estep – Just to echo the same thing, I received some emails, the plasma center looked good on paper with jobs and revenue and everything but, as I said, there is a stigma attached to that and the emails and the more input I got, I admire the Zoning Board for standing their ground and voting this down. I don't think it's something we need in our town.

Motion to suspend passed 7-0.

Motion by Mr. Burkhardt, seconded by Mrs. Brickweg to adopt Resolution No. 3, 2007 as read. Motion passed 7-0.

ORDINANCE NO. 21, 2007, AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS TO PROVIDE ADDITIONAL APPROPRIATIONS AND TO ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion by Mr. Burkhardt, seconded by Ms. Hausfeld to suspend with the second and third reading of Ordinance No. 21, 2007.

### **REMARKS**

Mrs. Brickweg – I'm just going to explain to the residents, this is not an increase in spending. Basically what it is, Walt needs the money that is in the General Fund to be put in these line items so he can pay invoices. The money has already been appropriated, we just need to go ahead and pay it so it's not any additional funding that we didn't know about.

Mr. Zix – Tonight we spoke, Dr. Romanos spoke about some of our sidewalks needing repair, we're now transferring some of that money. I think we can go back later and do some sidewalk repairs. I know Joe has twice that amount of money, he has doubled that amount of money for next year. We just need to keep it up on the horizon as one of our recommendations.

Motion to suspend passed 7-0.

Motion by Mr. Burkhardt, seconded by Mr. Asbach to adopt Ordinance No. 21, 2007 as read. Motion passed 7-0.

ORDINANCE NO. 22, 2007, TO REPEAL CHAPTER 1511 OF THE CODIFIED ORDINANCES OF THE CITY OF ST. BERNARD, OHIO; TO APPROVE, ADOPT, AND ENACT A NEW CHAPTER 1511 OF THE ST. BERNARD CODIFIED RELATING TO OPEN BURNING; AND DECLARING AN EMERGENCY.

Motion by Mr. Burkhardt, seconded by Mr. Hausfeld to suspend with the second and third reading of Ordinance No. 22, 2007.

### **REMARKS**

Ms. Hausfeld – Gerry Wiedman and Walt St. Clair came to me and told me that, I'm sorry, Walt Moeller, they came to me about a month ago and said they wanted to be pro-active in this particular case because there were some issues that could arise with outdoor wood fire boilers and while we were talking about that they also got together with Chief Scherpenberg and came up with this Ordinance that we needed to upgrade our original ordinance of 1511 and update some new information and stuff in there. That's all this is, actually updating our Chapter 1511 Ordinance and updating it with the current information that we have.

Mrs. Brickweg – Just to add to what Patty said is, just so people understand, you can still go ahead and grill out, you can still have your fire pit and things like that. This is not against those, it's a new heating device that the people are actually burning garbage and hitting their houses with it, so we're trying to avoid that before it even gets to our City but nothing changes with your outdoor fire pit and your grills.

Motion to suspend passed 7-0.

Motion by Mr. Burkhardt, seconded by Ms. Hausfeld to adopt Ordinance No. 22, 2007 as read. Motion passed 7-0.

**ORDINANCE NO. 23, 2007, AN ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO A CONTRACT WITH SUTPHEN CORPORATION FOR THE PURCHASE OF ONE (1) 104' AERIAL LADDER AND DECLARING AN EMERGENCY.**

Motion by Mr. Burkhardt, seconded by Mr. Schildmeyer to suspend with the second and third reading of Ordinance No. 23, 2007.

## **REMARKS**

Mrs. Brickweg – I just had a question on the price, it appears in our Ordinance that we have the full price of it and I know we discussed ways of paying cash for it or getting a loan and paying cash for it and we got a big discount. Is that OK that we have this number here when hopefully we're going to be paying less? We have \$635,947.98 and it's going to be \$500,000 something. Is that OK? \$598, I don't know, I'm just asking.

Mr. Geiser – I have to look at the contract, I don't have it in front of me. Maybe you can explain it or if Steve knows, this contract was put in my box, I gave it to Carol and wrote the Ordinance and she attached it and put the number in and I thought that was the correct number she got from someone down here so if, (for the bid package?) That's the price that came in under the bid package so if the contract reduces that down then maybe Steve you can explain how it works?

Chief Scherpenberg – The Sutphen Corporation discounts if the money is paid up front. In another words is you pay 100% up front and signed the contract, they discounted I think it was 5% Walt, somewhere around a 5% discount, so it's like \$598,000 and that was a decision I thought that came out of COW they thought it was the best deal to go ahead and pay cash up front for the truck and then I think Council had decided they were going to look at taking the truck as collateral and going to the Center for Local Government for possibly getting some of the money back on a loan. The price, if we pay it up front is, I don't have it in front of me \$598,000 a savings of about \$35 or \$40 thousand dollars.

Mr. Geiser – Do you know, Steve, if they pay the amount of \$600,000 up front and you get that amount rebated back or do you pay the original amount of \$500,000 something, whatever you said?

Chief Scherpenberg – It's the \$595 thousand, last time I talked with Sutphen up there.

Mr. Geiser – Then I would recommend you amend that to reflect that amount.

Mrs. Brickweg – I guess the question is, does anybody have that exact amount, I don't.

Mr. Stuchell – I do. The final selling price would be \$598,535.79 which would reflect a total discount of \$37,412.19 by paying 100% down.

Mr. Zix – Does that reflect the trade in also?

Mr. Stuchell – The trade in was actually taken off the total purchase price originally and if we were to not trade it in, the original purchase price without a down payment would have been \$655 thousand dollars, so that came off the top and that reflects \$20 thousand dollar trade in value.

Mr. Asbach – Then I guess the question is, do we need to amend the Ordinance to the \$598,535.79?

Mr. Geiser – I would recommend you do that, I apologize. That was the number that was given to Carol when she got the Ordinance so if that's the amount that we're going to spend, that's the amount that the Auditor is going to write out, I would suggest you use that dollar amount that is reflected in the contract.

Motion by Mrs. Brickweg, seconded by Mr. Burkhardt to amend Ordinance No. 23, 2007 to take out the price of \$635,947.98 and to state the price of \$598,535.79. Motion passed 7-0.

Motion by Mr. Burkhardt, seconded by Ms. Hausfeld to suspend with the second and third reading of Ordinance No. 23, 2007 as amended.

## **REMARKS**

Mr. Zix – This is a decision we don't have to make tonight but the money is reflected in the 2006 budget for this piece of equipment. Also for budgeting purposes we did reflect it in the 2008 budget as a loan of 20 years, just so you know, but its not a decision we have to make tonight so the money is shown two different ways.

Mrs. Brickweg – Just so the people might understand why we might be going ahead and borrowing the money, we do have the money in the bank that we could pay for it, but if we could get a pole loan through local government it would be at a much lower bond rate and as we discussed before, a lot of communities will go ahead and borrow the money for equipment because the local government funds, you cannot borrow money to buy up property so that's how they go about keeping the money in the bank and they use that money to buy up the property so that is one reason we are looking into that.

Motion to suspend passed 7-0.

Motion by Mr. Burkhardt, seconded by Mr. Schildmeyer to adopt Ordinance No. 23, 2007 as amended. Motion passed 7-0.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

Mr. Meier – A discussion at the COW, before I make a motion what we'd like to do is open the floor for discussion to pass the needs assessment so we know what is going to be involved with the movement of the garage for the Service Dept. Actually I didn't want to make the motion right away because if anybody had any discussion I wanted to allow the people the time to speak ahead of time.

Ms. Hausfeld – The only thing that citizens, a few citizens, not a lot, have suggested to me, is if we're going to do this, and I know I was sort of shot down one other time about this but I just want it to be said publically, if we're going to do this, they would like to see possibly, and I don't know what a study would cost or anything, about combining not only the Service Garage but also the Police Dept., the Fire Dept. I've even heard possibly City Hall down there with them and then make City Hall the Senior living, somehow redoing for that. I'm just publically saying it because there has been some citizens that have been expressing their idea as far as making it a community wide investment down there if we go to do that. I just want the rest of Council to know what's been brought to my attention at least.

Mr. Estep – It sounds good, just remember, you know, putting the Fire House down there, there's going to be a set of railroad tracks that are still in use that would separate probably 100% of our residents from them, maybe not 100% but the tracks are there and its something to consider before we move everything.

Ms. Hausfeld – John just to let you know that was one of my concerns and I did relate that to the citizens but honestly I didn't know how much that railroad is actually used any more. That was what the comments were from the citizens to me is, they never see rail lines on there so, I did express that concern to them, just to let you know

Mr. Meier – Ms. Hausfeld, I appreciate the comments on that, I think that because of logistics of such a move, I'm not saying it's a good idea or a bad idea, I'm saying it probably involves a lot more work and decision making than what would be involved. We know we are losing the Service Dept. garage so I think we should go ahead and proceed with that needs assessment and if people are of the idea and we start talking about moving the Police Dept. and the Fire Dept. and City Hall, that's a huge undertaking, I think that will be something that will be separate. If I'm correct, I think you can correct me if I'm wrong but I think right now when we have runs to Cognis, don't we go down Vine St. and across Mitchell and then go up so that we don't have to be separated by the railroad tracks?

Chief Scherpenberg – Yes, as a matter of course when we do respond to Cognis we do go down to Mitchell Ave. because of the possibility, not the railroad tracks right by Railroad Ave. but the ones further down at the intersection of Vine and Spring Grove, I think there are 3 or 4 or 5 trains an hour that go through there sometimes blocking the tracks for 10 or 15 minutes so when we go to Cognis specifically we take the long route even though it is more traffic for that reason.

Mrs. Brickweg – I do like the idea of the study, but at the same time and I know we talked about this at the COW, it would be nice to get a final answer on the Fire House because there is still the possibility that we could lose the Fire House also because of the basement underneath the parking lot. I would like to continue with the Service Dept. study but I think we need to remember that that's another big building that we could be losing but in the same point, we have to remember that if we do lose those two buildings, the Federal Government will be paying for the relocation and the rebuilding of both of them.

Mr. Zix – Is there a cost involved in the study, Kevin?

Mr. Meier – I'm going to have to refer that to Mr. Wiedman because you've had more conversations with Jennifer Vater as far as what the cost would be.

Mr. Wiedman - There would be a specific cost. These assessment studies will be analyzed and then the cost will be determined based on the time it takes to complete.

Mrs. Brickweg – I'm not sure but wouldn't that possibly be part of the relocation cost, that we could get the money back from the Federal Government, because I know when we were down there they said that they would pay for relocation finding where you're going to put it for building area. Maybe that's something we could look into, I don't know but I would think that that would be part of the relocation that the would have to pay for that.

Mr. Zix – Right now I would hold my vote or reserve my vote until I find out the cost, I think.

Mr. Asbach – If Mr. Wiedman has a meeting Tuesday, I guess, could this not wait until COW, oh there is no COW meeting next week though because of the five Thursdays we have the public hearing. Gerry, is there any kind of ball park, I mean I don't want to slow this process up.

Mr. Wiedman – When we get an estimate on the cost of the Service Dept. needs assessment, I will get the information to Mr. Meier and the rest of Council.

Mr. Asbach – I don't know that two weeks really, I mean we're looking a couple of years down the road, so I guess two weeks really wouldn't matter, I would like to see the price as well.

Mrs. Brickweg – I'll also send out an email to the people that we meet with on the I-75 expansion and see if they can give us any answers on if they would pay for that.

Mr. Meier – Mr. Wiedman if it would be OK if you would just wait, if you have that meeting, if you get that information back and then at the next Council meeting we can bring it up because I think that, I don't think that would hold us up too much. Why don't we proceed that way, that way everybody can have their information and feel comfortable with their decision.

Mr. Wiedman – I can do that.

Mr. Geiser – I just wanted to bring up one issue that as the Chief Law Enforcement Officer of this City I want to make everybody aware of, I received a number of emails, probably a couple of months ago about an incident, and you may have received it also, where people can alter keys, and they are going to have a show on tonight, one of the news channels at 11:00, how a child as young 8 years old can alter a key and open any lock. When I read it, it was very disturbing, I invite everybody to watch that if you can. The show got several articles on TV and I'd like to bring this back to Council maybe if Jonathan if you could get the Chief more informed about this because after reading the articles I'm considering changing the locks on my house with two young kids. They showed how simply putting this key in any lock, tapping it, it opens right up, dead bolt or whatever. I'm very concerned about it, I want to make everyone aware of that, plus those of us that see this on TV, we're going to be after the fact but I encourage you to watch that tonight again, I don't know which channel it is but at 11:00 one of the news channels is doing a show about this to make everyone aware of it and we as a City should be aware of this possibility and maybe take some actions to prevent this.

Mr. Estep – Just one other thing under the New Business, I guess, as Steve mentioned there is a Public Hearing next week, it was originally scheduled in the Main Hall at 7:00, we're going to move it over here because of the construction on that ramp. It will be next Thursday, the 24<sup>th</sup> here in Council Chambers at 7:00p.m. for the Public Hearing on Bertus St. Park.

#### **AUDIENCE WISHING TO ADDRESS COUNCIL**

None.

Mr. Burkhardt – The next COW, due to there being five Thursdays, will be May 31, at 7:30p.m.

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