

**ST. BERNARD CITY COUNCIL MEETING
DECEMBER 4, 2008**

The regular meeting of the St. Bernard City Council was held Thursday, December 04, 2008 in Council Chambers.

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

Roll call showed that all members were present: Mr. Tobergte, Mr. Peck, Mrs. Bedinghaus, Mrs. Brickweg, Ms. Hausfeld, Mr. Meier and Mr. Zix.

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

Mayor Burkhardt swore in the new Police Officer, Patrick Witte. His parents, Greg and Connie Witte and sister Lorain, were in attendance along with many friends and family members.

REPORTS OF CITY OFFICIALS

Mr. Walden – We will do things a little out of order tonight and call on Tax Commissioner, Ed Geiser first.

TAX COMMISSIONER, Mr. Geiser – (And his assistants) I had an important message, I wanted to come tonight, so I wanted to make sure people got this message. This is really intended for those watching at home and those in the audience.

Last week the Tax Department sent out nearly 1200 letters for residents and non-residents who have not filed their 2007 individual tax returns. As you would expect, the number of calls and individuals stopping in to the tax office has been very steady but only a small fraction of the 1200 individuals notified have responded.

We have been able to correct many, many accounts that needed to be adjusted, inactivated, or corrected.

The reaction for many of the taxpayers has ranged from shock, anger, or frustration concerning why they received a letter for not filing a tax return. Many individuals, including many new residents, have indicated that they were not aware of the mandatory filing requirement. Mandatory filing started in 2004. Again the penalty for not filing is \$50.00, and if you haven't paid it's going to be an additional \$50.00. So the penalties are severe.

The letters that we have sent out have dealt only with the non-filing of a tax return for 2007. For many people however, they have not filed many of their previous year tax returns. For example many have not filed for 2004 through 2006 also or have never filed. This has been a real shock to some. Some have complained as to why we have not sent out letters in the past years for non-filers.

As I have indicated, to the best of my knowledge this is the first time this type of mailing was sent where it should have been sent out every year.

I would like to explain what I have done in light of these issues.

I would like to remind everyone that we have mandatory filing. We will try to better inform the public about the mandatory filing. I purchased a stamp

that indicates “mandatory filing” and “important tax documents” that will be placed on the envelope of each tax form sent out next year. The instructions will include language concerning the mandatory filing.

I learned from some other tax administrators that they have instituted a policy that if a person comes forward and files their previous years’ taxes without the tax office having to pursue them, then the tax office would waive the penalties but not the interest. If the tax office has to pursue them, then the penalties stand.

I was given permission from the Tax Board of Review, very informally, to institute this type of policy for the near future. Therefore for every person who has called or stopped in the office regarding their 2007 tax return, I would pull up their account on the computer, review the status of their records and see if they are missing any previous years and that it would be in their best interest to file those years also where they would not be penalized for those years but would still have to pay any interest that may be owed.

Many people have taken advantage of this opportunity. This is not an amnesty program but just a short term policy approved by the tax board.

I would encourage anyone who has not filed any previous year tax returns to do so. The savings on the penalties could be substantial.

If anyone has a question about their records as to what may be outstanding in your individual account, please stop in the tax office and we can very quickly review your records.

I remind everyone to not ignore the letters we sent. I have heard from some that many people simply throw any correspondence from the St. Bernard tax office in the waste can. In the very near future, I will begin the process of utilizing Mayors Court to pursue those who choose not to respond.

MAYOR, Mr. Burkhardt – First and foremost, I would like to encourage Council to pass Ordinance No. 62, 2008.

The last Council meeting of December, the 18th, we will be holding the 1st Annual City Hall Christmas Open House. It will begin at 6:45 and snacks and beverages will be provided. We would like to encourage all community members and business owners to come and visit with your City Council and Administration.

Saturday, December 20th is the Annual City Christmas Celebration from 6-8 pm. The Queen City Hi-Railers will have their expansive train display set up in the Main Level of the Municipal Building from Friday the 19th through Sunday the 21st. Weather permitting, Santa, Mrs. Claus, and the Coca-Cola Polar Bear will be visiting the streets of St. Bernard starting around 4:30 Saturday afternoon. Once Santa’s sleigh has landed they will be visiting with children, checking the naughty and nice list, and passing out treat bags, hot cocoa and cookies in the Eagles Hall. There will also be an ice sculpture demonstration set up between the Municipal Building and the Eagle’s Hall on Tower Avenue as well as tours of the best Christmas decorations in the City provided by our Dial-A-Ride elves! Please join us for this fun filled evening provided by the Holiday Activity committee.

I would like to remind all residents that starting January 1st through March 31st, 2009 we will be accepting applications for summer employment. The application will be available on line at www.cityofstbernard.org, as well as at City Hall. We are looking forward to another great summer!

AUDITOR, Mr. St. Clair – The November Auditor’s reports for the cash balances in our various funds and for the expenditures from those funds are

prepared for tonight's meeting. The receipts report and the summary report of revenue and expense by fund were also distributed to Council and the Treasurer.

Expenditures for the month of November: \$ 1,184,055.42

Expenditures for the year thru November 30th: \$ 11,900,485.87

Before Council tonight is Ordinance No. 64, 2008. This Ordinance provides for the transfer of \$33,000 from the General Fund Cash Account to the Cash Accounts of the following funds: Master Plan Capital Improvement Fund for \$3,000; and the Employee Health Plan Fund for \$30,000. This Ordinance also provides for an additional appropriation of \$50,000 to the Police Dept. Medical Expense line item; and appropriation adjustments to the following line items: Increases to Civil Service Legal Consulting \$240; Service Department Overtime \$1,829.47; Building Maintenance City Hall \$3,000; Building Maintenance Fire Dept. \$13,500; Landfill & Composting \$22,000; Gas Well Monitoring \$15,000; Street Maintenance Employees Overtime \$1,000; and Swimming Pool Equipment Outlay \$1,560; Decreases to Civil Service Promotional Test \$240; Service Dept. Part-Time Employees \$1,829.47; Garage Utilities \$3,000; Service Dept. Equipment Maintenance \$5,000; Park Maintenance \$27,000; Service Dept. Equipment Outlay \$5,000; Paramedic and Firefighter Training \$7,836; Dept. Library \$1,304; Fire Prevention & Education \$1,800; Fire Dept. Wellness Program \$2,560; Street Electric Current \$1,000; and Swimming Pool Employees \$1,560. All these items were discussed at the COW.

DIRECTOR OF LAW, Mrs. Kate Bedinghaus – Absent.

TREASURER, Mr. Sipe –

Receipts for the month of November \$ 1,155,279.24

Receipts for the year through November \$ 13,941,686.47

I hope all had a pleasant Holiday; I would like to take this time to urge Council to pass Ordinance No. 62, 2008, the 2009 budget as it stands. The 2008 receipts through November if applied for next years' planned spending would almost cover all budgeted items as they are explained in this Ordinance. We still have one month of income to add to 2008; the difference being about \$185,000.00. The reserves for the City have increased this year and in my opinion should be used to improve the City's infrastructure, continue to provide the level of services we have grown to appreciate, and to build for the future of St. Bernard as a whole.

SAFETY DIRECTOR, Mr. Chatman – Absent.

SERVICE DIRECTOR, Mr. Schrand – Absent.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Zix – Before Council tonight is the second reading off Ordinance No. 62, 2008.

This is the 2009 budget Ordinance. This is a financial plan that serves the City as an estimate of future cost for 2009 matches to estimated income. I would like to thank my fellow Finance Committee members, Cindi Bedinghaus and Don Tobergte, also the Treasurer Jamie Sipe and Auditor, Walt St. Clair and all the Dept. Heads and the Administration for their hard work to bring this budget Ordinance to this point.

The Finance Committee started this process back in April, by preparing a balanced recommendation for council to approve and submit to the Hamilton County Auditor Office. Again the Committee came back in October and met with all Dept. Heads and Administration to review their proposals. After that we met and discussed every line item of the budget and either kept the Dept. Head's proposal or made changes – either choice was voted on and majority ruled. The Finance committee then came to Council with a balanced budget recommendation. At that time Council reviewed and either kept the Finance Committee recommendation or made changes – both choices were voted on and majority ruled. The Finance Committee kept to a tight timeline to get this budget to the floor with enough time to pass before the first of the year. Again, thanks to everyone for their cooperation in this process. I would like to recommend passage of Ordinance No. 62, 2008.

SAFETY, Ms. Hausfeld – No report.

SERVICE, Mr. Tobergte – The Service Dept. report for November 2008 is as follows: There were 22 trucks and 11 dumpsters placed at residences along with 30 special pickups. 175 tons of garbage made its way to the landfill. There were 14 tons of recycling material, 6.5 tons of cardboard, 410 pounds of aluminum cans, 2820 pounds of scrap metal along with 28 appliances.

The City received \$398.00 for recycling in November.

PUBLIC IMPROVEMENTS, Mr. Meier – No report.

LAWS, CONTRACTS AND CLAIMS, Mr. Peck – During the main sessions of State Legislature they may be discussing legislation concerning the City Mayor Court. It remains to be seen how the City like St. Bernard might be affected. I would just like to reiterate the importance of Mayor's Court to the City. It generates revenue for the City, also cuts down the amount of overtime and manpower needed by Police Officers. All other offenses will be handled by the County downtown. Needless to say I will be monitoring that legislation but it should get discussed before the end of the year and towards the beginning of next year.

BUSINESS AND INDUSTRY, Mrs. Brickweg – Last night and this morning was the start of something big for the revitalization of our City's business district. Business owners, residents, the Executive Director of the CIC, Al Kanters, CIC members, Administration and Council members started the process to become a member of the Heritage Ohio Main Street Program. Last night Jeff Zieler, Frank Quinn and Steve Brown who work for the program were given a tour of our City, via the Dial-A-Ride and then were treated to dinner at Chili Time so they could get a good feel for our City. Today they presented the Main Street program to us and had break out sessions where they received feedback on the history, traditions and condition of our City. We discussed both past practices and future ideas for St. Bernard. The only way to make this program work is with as many volunteers as possible. I will inform everyone on the program so they can learn about it and hopefully discover a part of the program they want to participate in. As not to overwhelm everyone I will report on various aspects at future Council Meetings. At the end of the day I left feeling so positive for the future of our City and I am sure you will feel the same the

more you learn about the Main Street Program. As I end my report I want to share a few quotes from today's meeting for people to think about.

"Don't be afraid to try something new and don't be afraid to end it if it doesn't work."

"We need work plans that people are accountable for, with dead lines to meet, not more studies of our City."

"We need to promote using local services and shops." "By supporting each other we support our community."

And finally,

"Use the dog to promote our City and have fun with it." "The City of St. Bernard, Come, Sit, Stay."

HIGHWAYS AND TRANSPORTATION, Mrs. Bedinghaus – Last week before the COW, Highway & Transportation Committee met to discuss the redesign of the Dial-A-Ride buses. There has been no decision, I still need to talk to the Mayor a little bit more and more will be forthcoming.

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

COMMITTEE OF THE WHOLE

November 25, 2008

NEW OR REFERRED ITEMS:

1. Approved the minutes of the November 20th council meeting.
2. Walt Moeller asked council their thoughts on purchasing a permanent electronic recording devise for Council Chambers at the cost of \$1,798.08. This would allow Council and COW meetings to be recorded much more clearer and allow for future on-line streaming of the meetings. Council approved this.

REPORTS OF ADMINISTRATIVE OFFICIALS:

Mayor, Bill Burkhardt: Absent. He was attending a Board of Health meeting.

Auditor, Walt St. Clair: Walt requested that an ordinance be placed on the table at the next council meeting for the following appropriations (council voted 7 to 0):

1. Transfer of \$33,000.00 from the general fund - \$30,000.00 to the Employee Health Cash Account and \$3,000.00 to the Master Plan
2. Additional appropriation of \$50,000.00 to the Police medical expenses
3. \$2,560.00 from Fire Dept. Wellness, \$1,304.00 from Fire Dept. Library, \$1,800.00 from Fire Dept. Fire Prevention and \$7,836.00 from Fire Dept. Tuition and Training for a total of \$13,500.00 to Fire Dept. Building Maintenance (to purchase a new HVAC unit – current unit no longer works).
4. \$240.00 from Civil Service Promotional Testing to Civil Service Legal Consulting
5. \$3000.00 from Garage Utilities to Building Maintenance-City Hall
6. \$1,829.47 from Service Dept. Part Time Employees to Service Dept. overtime
7. \$22,000.00 from Park Maintenance to Land Fill and Composting
8. \$5,000.00 form Equipment Maintenance, \$5,000.00 Park Maintenance and \$5,000.00 from Equipment Outlay for a total of \$15,000.00 to Gas Well Monitoring
9. \$1,000.00 from Electric Current to Street Employee Overtime
10. \$1,560.00 from Swimming Pool Employees to Swimming Pool Equipment

Law Director, Kate Bedinghaus: absent

Safety Director, Rodney Chatman: Rodney requested that at the December 18th Council meeting the City recognize the crossing guards for the work they do. The Mayor will prepare a Proclamation for the meeting. Patty asked Rodney to look into the

conditions of the cross guard's signs, she feels some need to be replaced. Chief Scherpenberg updated council on the repairs being done to the new Fire Truck.

Service Director, Ray Schrand: no report

Tax Commissioner, Ed Geiser: Ed informed council that the department mailed out 1,200 letters to residents that have not filed their 2007 tax returns. From the phone calls he has received regarding the letters it is apparent many of the city's records are out of date. The department will be mailing letters to businesses soon. Ed is also still working on follow up to the landlord/tenant letters that were mailed out earlier. Ed informed council that he may need additional appropriations for refunds.

Treasurer, Jamie Sipe: no report

REPORTS OF STANDING COMMITTEES:

Laws, Contracts and & Claims, Mike Peck: absent

Public Improvements, Kevin Meier: no report

Business & Industry, Peggy Brickweg: Peggy asked council their thoughts on changing council terms to four year terms which are staggered. Council said it is worth considering and Peggy will get more information to discuss at a later COW meeting. Peggy also informed council she sent in the final ideas regarding the City logo for the I 75 noise walls. Gerry Weidman informed council that he is waiting to hear back from ODOT regarding them attending a future COW meeting with their real estate representative to discuss the future of the St. Bernard Fire Department and Service Department buildings in regards to the I 75 expansion.

Safety, Patty Hausfeld: no report

Highways & Transportation, Cindi Bedinghaus: Cindi informed council that the committee met that night to discuss giving the Dial A Ride busses a face lift. She will get with the Mayor to discuss this idea. Cindi also requested that the Safety Committee look into eliminating parking on Ross Avenue between Broermann and Greenlee.

Service, Don Tobergte: Don informed Council that Peggy will gather information on hiring a City Manger and it will be discussed at a future COW meeting.

Finance, Greg Zix: Council reviewed the 2009 budget again and discussed line items members were not in agreement on. The budget will have its second reading at the Dec. 5th council meeting.

Audience Participation:

Lou Steinhart asked Peggy to look into term limits for council members. He also asked council why the City of Norwood has a part time City Auditor making \$25,000.00 a year and the City of St. Bernard has a full time City Auditor making over \$80,000.00 a year. Lou asked if the City bills for ambulance runs and he was informed that the city does.

Ordinances and Resolutions for the next council meeting:

1. Ordinance for transfers and additional appropriations

Next Council Meeting: December 4th 7:30 P.M.
Next C.O.W. Meeting: December 11th 7:30 P.M.

Respectfully submitted,
Peggy Brickweg,
President of Council ProTem

COMMUNICATIONS – None.

RESOLUTIONS AND ORDINANCES

Motion by Mrs. Brickweg, seconded by Mr. Peck to read this evenings Resolutions and Ordinances by title only. Motion passed 7-0.

Mr. Walden – The first Ordinance up tonight is the second reading of Ordinance No. 62, 2008.

ORDINANCE NO. 62, 2008. AN ORDINANCE TO MAKE APPROPRIATION FOR EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ST. BERNARD, STATE OF OHIO, DURING THE FISCAL YEAR 2009 AND DECLARING AN EMERGENCY.

Mr. Meier – In order to get this Ordinance passed in time fore the City employees to get their pay checks on time, I would like to make a motion to suspend with the third reading of Ordinance No. 62, 2008.

Motion by Mr. Meier, seconded by Mr. Peck to suspend with the third reading of Ordinance No. 62, 2008 and declaring an emergency. Motion passed 7-0.

Motion by Mrs. Brickweg to adopt Ordinance No. 62, 2008.

Mrs. Brickweg – I would like to have a comment after we take that vote.

Mr. Meier – I'll second that.

Mrs. Brickweg – I had sent out an email to everybody on Council earlier in the week because there was some confusion going around and there was rumors going around, if we didn't vote for this budget and get it passed that the employees wouldn't get paid. I wanted to look into that because in no way do we not want the employees to get paid and we don't want anybody to use the threat of the employees not getting paid for a political gain. What I did is, I had contacted Walt St. Clair here and we came up with a few scenarios so we make sure this got alleviated and just so the public knows, yes we're going to skip the third reading so we will read on it tonight. The budget would go into affect emergency, which means it could go into affect right away if the vote was 5-2. If the vote is 4-3, then the employees would not be paid on their normal day of January 2nd, it would be January 5th because with it not going emergency it would have to go thirty days. There is another scenario that we can do. If it happened to go 4-3, Walt said he can get us the number of the first payroll, for that period, and we can have an ordinance on the table for the next Council Meeting to have that pay in there so the employees will get paid on time and then the budget will go into affect on January 5th.

Is that correct, Walt? You're looking at me, well OK. I just wanted to make sure everybody understood the scenarios and that the employees know that they will get paid that there's not a problem with that. We do realize that you're counting on your money. You might have a house payment due or a car payment due, just like all of us might so that will not happen and we have thought about that and taken care of it.

Mr. Burkhardt – Also if Council sees fit to pass this budget as it stands, I promise this Administration will work with this Council and we will not spend foolishly. Anything we do spend will come before Council.

Mrs. Bedinghaus – I will be voting ‘No’ on this 2009 budget Ordinance. As a Finance Committee member, this budget is not the recommended budget brought to Council. With the majority of Council’s vote, money was added to many of the line items creating deficit spending for 2009.

With the current economic status I feel the right thing for me to do is vote ‘No’ for this Ordinance. Times are tough for many people today, and I am sure that our citizens have felt this financial crunch to some degree.

As we have all been reading and hearing, states and county governments are cutting their budgets significantly. St. Bernard is not exempt from perhaps feeling this financial crunch. There is no bubble protecting St. Bernard.

This is not the year to count on history repeating itself. There is no reason to believe that our City’s revenue stream will not be as robust.

There cannot be business as usual in this day and age. There is no business today that can continue down the same road as in previous years and remain viable. Businesses, as well as state, county and local governments need to operate smart. Change is the road to continued success.

Our City needs to join the ranks of other successful businesses who implemented creativity and innovation. We should consider small incremental changes that preserves, or even enhances the safety and services for our citizens.

Ms. Hausfeld – First of all I would like to say thank you Mayor for saying what you just said because, you guys all know that I have been going back and forth with this budget. I don’t like the fact with the way the economy is today, and granted everybody keeps saying it hasn’t hit us yet, but with knowing what happens to family members when they get laid off, its taken everything I have to even turn the other cheek to say yes, I’ll vote for this budget. My heart is telling me one thing and my head is telling me the exact opposite. Somebody threw the conscience thing up to me again and my conscience keeps telling me I can’t vote for this budget.

I think Peggy is the one that said this, and if not I’ll apologize now. Last week, I missed the first reading of this budget because I was sick, but last week I believe Peggy said that she was for it but if we start to need, if the money is not there and we start overspending, then she will revisit it towards the middle of the year. I made the comment then and I stick by this, if we pass the budget and the money is in there, the Dept. Heads and you and us will spend it, or the money will be there to spend. With the way the economy is right now, I just can’t see spending it. I know the one thing in here is the 1.5 million and I asked the question last week, I didn’t ask it out loud but Walt couldn’t answer me. In the back of this you’re saying the 1.5 is giving me a grand total of appropriations of \$14,127, 002.84. Somebody said no, that’s just in case we have to pay back the 1.5 and my question was, if they come back to us and they want their 1.5 back, we have to pay it back. In retrospect, that is the amount if they ask for it that we would have to pay back in 2009. That’s a lot of money and with the way the economy is, my heart’s telling me no not to vote for the budget, so I’m just letting you guys know where I’m leaning towards. I don’t want, and Bill I told you this when you said you were hiring police officers, I don’t want people laid off because we spent foolishly and I’ve seen what it does to families when they are laid

off and I know you said you would not lay anybody off except through attrition. Well if the money is not there, it's sort of hard not to. I just wanted to at least voice my opinion and let the public know where I stand. This is a very hard decision, I mean, but that's what we're up here to do and sometimes we don't make the best decision but my decision will be voting no on the budget. Nothing against the employees, God knows I'll be crucified for this because I have a couple members in my own household. If there's a way that we can, if I vote no on this I will be voting to appropriate money to make sure the employees get paid.

Mr. Zix – First of all I would like to thank Bill also for his cooperation. Just like the cooperation we had preparing the budget, I think this Administration wants to do the right thing. I would hope and ask Ms. Hausfeld to reconsider. The 1.5 million is in here with a total of the fourteen million dollars. Yes, if we did have to recall that, if that was recalled, that loan can be recalled at any time as we know, we have to show that in the budget. What the budget is, it's a financial plan of the estimated cost of the future compared to the estimated income. Right now we're at, the Treasurer said we're at \$13,941,000.00. With the next month account, if we averaged that out over eleven months, that's about another 1.2, so we're almost at 15 million dollars income for this past year. The only way you can estimate that income is over so many years which we did estimate the income we had down here for the last three years of income. We're coming in a lot higher. Some of the short falls we hear in the City, Cincinnati alone, that short fall is as much as our entire budget is. The City of Cincinnati is \$14 million short. They're going into what they call their rainy day fund. We just call it something different, we call it our reserves. Ohio is almost a billion or more than a billion, I don't know that number but I think it's around that number. We're only estimating by the average of the last three years, not even counting this year. This year being a banner year of almost \$15 million coming in. We're only \$227,000.00 over. Also if we take that 1.5 out that wasn't called it's only about \$12 million. I really believe, truly, I'm the first one to believe in a balanced budget, I don't believe that this is that far off. If we look at what is turned back in every year, we're no where near what it would be. I think we're the closest thing we can get to the balanced budget. One of the hardest things to do would be to hit that target number right on. I think we're very close. I think we're providing a lot of services. I think 80 to 90% of our base in here is our services and our employees but we have good employees and we have to pay them. I would ask for you to reconsider that because I don't think that we're over. We are over, I shouldn't say we're not over, we are over by \$227,000. That's less than 2% of our total budget so if we can control spending within less than 2% of our total budget the Administration can do that, I think we're right there, I don't think we're that far away and we can always, and Mrs. Brickweg you said, we can always go back and amend this Ordinance at any time. I just think it's a good estimated plan with the estimated income we have coming in. I'll get off my soapbox.

Ms. Hausfeld – Greg, I'm not pointing any fingers but coming from you, I guess I am because the last three years that's all I've ever heard is balanced budget, balanced budget, balanced budget from you or over spending, over spending whatever the case may be and not you're doing the exact opposite. You're OK with spending \$227,000, I guess that's about right. My thing is,

yes, it's \$227,000 over but you also have to account for that 1.5. If they do recall that, that's 1.5 plus the \$227,000 over that we'll be spending and I'm not saying foolishly because I truly am one for employees of St. Bernard and too I am also for the citizens of St. Bernard but I'm not for overspending money when the economy is as bad as it is and I know people are saying, if the money's is coming in why not spend it. Well, and then we're going to get ourselves back in problems or in the future we're going to be back in the problems that some of the other communities are in right now and if I can avoid being in those situations and those problems, I'm going to try my best to avoid them.

Mr. Zix – First of all I would like to say thank you Patty for saying that about me. I take pride in that. I probably voted against more things than all of the people sitting here on this Council. I'm very proud of that and I really think that this is a good balanced area. We can't hit that right on the head. When we did do the loan of 1.5 million we didn't think it was going to be part of the income stream for next year. We thought it was going to be an overall capital expense of buying more property like we did many other things we did this past year. I don't even know what's in the budget but we didn't start off this year with the Auditor's report. We didn't start off to spend what we spent this year but we put additional dollars in. I think it's a good balanced budget. I'm just trying to convince you. That's what I'm trying to do. In plain old words, just put the moose on the table, I think it's a good balanced budget. I think it's the right thing to do and at this point let's let the chips fall where they may. Again, I do want to thank the people who helped put this budget together and the Council and the Administration for all their cooperation.

Mr. Tobergte – I agree with Patty. I don't like this budget at all, I know Greg is saying it's only \$270,000 whatever over but he's not mentioning the 3 or 4 hundred thousand that was taken out with a wink that will go back in after the budget is passed, the ambulance, the pool. If you separate out the employees pay, I don't see anything changing in the budget anyway and we went through this a couple of times. People want stuff in. They want it in. They're not going to change their vote. We're between a rock and a hard spot. I don't like the budget, but the employees need to be paid so I still haven't made up my mind how I'm going to vote yet. I know I got a minute or so left.

Mrs. Brickweg – I just had a couple of comments that I wanted to make. Patty was right. Bill had discussed this in the past that we do not know about the economy and what's going to go on so we will at the latest revisit it in June. If we saw any big drop in any revenue coming in or anything going on it would be revisited then. That did make me feel more comfortable.

A couple of things that Jamie had said last week that really made a lot of sense I think need to be repeated tonight. Maybe you can help me a little because I don't have all my numbers. You had explained that even with this year's budget and the year before that, there's money left over usually in the budget because we appropriate the money for a line item and when it's not used it goes back into the General Fund.

Mr. Sipe – It never left the General Fund.

Mrs. Brickweg – It never left it so, it's not like we drain every line item. I don't have the number here but the money does go back in and not every penny does get spent. The other question I had is and I don't have all my numbers with me and I'm sorry for that but how much money do we have in the reserves right now that could be used, that's not accountable for, about?

Mr. St. Clair – It's in your Auditor's report.

Mrs. Brickweg – I know and I brought, oh yes I do have it.

Mr. St. Clair – At the bottom of the Auditor's report, ending balance of the cash funds. \$9,689,500.00

Mr. Sipe – Around \$6 million of that is really tied up in securities as far as investments. It is \$9 million but \$6 million of that is truly in securities.

Mrs. Brickweg – OK when you say that, I guess the question I'm looking for is like Patty is, fear of if they would come and call back the loan, we would have 1.5 million in our reserves that we could use if that happened?
Correct?

Mr. St. Clair – Let me clarify something about the 1.5 million loan since we're talking about calling. It's a one year term 1.5 million note or loan. It's due and payable in 2009, there's no, there is a call feature to the loan that if we want, say for instance, we've used almost \$500,000 of it. We still have a million that we haven't used yet and I don't know if council has any plans to use it, but we could call a million of the note and prepay it and have it out of our debt. We could do that but I'm assuming that Council wants to keep that for maybe some other project and amend the Ordinance for whatever you want to use it for. Anyway the note will be due and payable with interest in 2009. That's why it's an expenditure in the budget. Now, when it's due and payable, if Council wishes, they can renew or go for a new note or a new loan for the 1.5 million. It would be a net effect, you've used the 1.5 million on a new note to repay the old note and all we would be expending would be the interest. Just like we did last year, if you noticed, when I did that summary report, the 1.5 million that we borrowed is shown as revenue to the City. That's one of the reasons why the revenue is that much higher last year than expenditures. It's because the 1.5 million is shown as revenue to the City. 1.5 million has to be expended this year whether the note is renewed and we borrow another 1 million that is left or the 1.5 million to satisfy the note, that would be Council's decision of when it comes near due.

Mrs. Brickweg – Just to sum it up, basically, the way I look at the budget as it is, it is \$227,000.00 over because of the 1.5 million. I don't want you to think I'm not counting that but I'm not looking at it as a daily expense. I still see money in there to buy property and like I've been saying for many years, if we're going to reinvest in our city and rebuild our City it's going to cost money and we need to spend it. At the same time we need to maintain a level of services that the people want here. They voted for a tax increase, to me, to keep our services and revitalize our City. I'm going to be going ahead and voting for this budget but as I said, if I see any major crunch or

anything happens I will trust in the Mayor and the Administration and Council that we will re-look at the budget.

Mr. Tobergte – Walt, let me ask you this, when Jamie said we had \$15 million income this year. I think that's what you said.

Mr. Sipe – That 1.5 is in there.

Mr. Tobergte – Then the actual income would be 1.5 off of that 13 or 14 whatever it was?

Mr. Sipe – That is correct. And then also you have to then, with Walt's expenditures, the \$475,000 that you gave to the CIC of that 1.5 is in his expenditure and the original 1 million dollars that you gave the CIC at the beginning of the year is also in his expenditures. You've given CIC 1.475 of City money and have borrowed 1.5 against it and you technically have 1,025,000. holding in reserve that you borrowed with the intent to give to the CIC. So you have invested the City's money or incurred City money up to the point of 2.5 million for the CIC.

Mr. Tobergte – Also Walt, when I talked to you last month, I think it was, you told me that we're only like \$4 million in reserves spendable after all the bonds and that were taken out. Is that correct?

Mr. St. Clair – I have to re-look at that. That would have been off the top of my head without looking at it, but I would have to re-look at it. I'd have to look at the debt schedule and see what principle and interest are due on our other loans that we have outstanding on the pool and the fire equipment and the street sweeper and another small sewer project.

Mr. Tobergte – But to say that we have \$9 million in reserve is that correct?

Mr. St. Clair – Yes, we do have money that we owe, obviously, on loans.

Mr. Meier – I would just like to make a couple of comments on this. On one, the one thing this budget doesn't take into account is that the City is receiving \$235,000. for the Neighborhood Stabilization Program so we're \$227,000 over on our budget but we've got an additional \$235,000 that we know that we're going to be getting in 2009. The other point that I would like to make is in regards to the economy. The economy hasn't just started getting bad now, it started a long time ago. We've already been through a year of a bad economy. Right now all the information in the news that you hear is the Federal Government and the Treasury and the FED and all the different banks working together to stimulate the economy, to pump money back in. It's not like we're going into a recession, we're already in one. We're probably half way through it and most of the economists are talking about us coming out of the recession by mid 2009. I think we have to have some level of confidence in our Administration and our Dept. Heads and the individual employees to not be wasteful because they know that their jobs are on the line by how well they spend their budget and the amount of money that is budgeted to each dept. I think if we have good people in place, and I have confidence that we do, if they will do the right thing throughout this year to make sure that this City doesn't overspend anything

that they have their individual controls over. If you look at it that way, we're half way through the woods and coming out. It's not like we're just starting to go into the woods. We already know that we have an amount of money coming to us that is more than sufficient to cover the shortage in the budget. I think we do need to invest in the City and the best time to invest in when things look the worst. We have to make ourselves be different from these other communities. It's a great time to market the City. Cincinnati is cutting, Hamilton County. is cutting and you see people down at City Hall and other places complaining they want their Police Dept. back. They're afraid of what's going to happen to them if they go to the Mall because the Sheriff's Deputies aren't going to be there. We don't have that here. That's a great thing to point out to people. Hey, if you lived in St. Bernard, you wouldn't have to deal with the problems that you're dealing with now. I think a major thing that we can do to show our confidence in our City is to pass this budget and keep things moving and have confidence that the people that are spending it, that have the responsibility for spending it, will do the right thing to control the spending.

Mr. Tobergte – One thing on what Kevin said, we're having the \$235,000 come in, are there specific items that can't be added to the budget to be still in the other line item, correct?

Mr. Meier – That money is to be spent for the acquisition of property and we already have \$300,000. in that line item. Potentially we could move \$235,000. out of that line item if we needed to. If push came to shove and we got in a crunch, we could technically take \$235,000 out of that line item and move it to somewhere else to cover a shortage if we needed to and we'd still be OK.

Mr. Sipe – As far as the 1.5 million being added into the receipts that I record on a monthly bases, if we were to take the 1.5 million out, the City has received \$12,441,666.00 this year and we do have one more month to go. So at 12.4, excluding the 1.5 million that we received from the loan that is in the budget including the \$68,000 worth of interest and the budget reading \$12,220,127.00 we've already taken in that much money this year and we do have one more month to go excluding all the money that we've given to the CIC.

The motion to adopt Ordinance No. 62, 2008 as read passed 5-2. Mrs. Bedinghaus and Ms. Hausfeld voted no.

Mr. Burkhardt – Just one more comment. I would like to thank Donny Tobergte for his vote tonight.

Mr. Tobergte – It's going to cost you.

ORDINANCE NO. 64, 2008. AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS, TO PROVIDE ADDITIONAL APPROPRIATIONS AND ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.

Mr. Tobergte – I would like to make a motion we amend Ordinance No. 64, 2008 to read as follows: Instead of additional appropriation to the Employee

Health Plan Fund 51-02 of \$50,000.00, I would like to transfer the money in there from line item 6-A-1 Regular Police Pay \$20,000.00, 6-A-1B Regular Police Comp Time \$5,000.00 and 6-A-3 Police Dispatchers \$25,000.00. That will keep us from doing an initial appropriation and Chief Moeller said that the money is not going to be used in that line item so we'll just transfer them over.

Mrs. Bedinghaus – I'll second that.

Ms. Hausfeld – Can you repeat that because I totally got lost.

Mr. Tobergte – From Regular Police Pay 6-A-1, \$20,000, from 6-A-1B Comp Time I believe \$5,000.00, 6-A-3 Police Dispatchers \$25,000.00. That will add up to the \$50,000.00 going into 51-02 of the Employee Health Plan Fund.

The motion to amend Ordinance No. 64, 2008 as specified by Mr. Tobergte passed 7-0.

AMENDED ORDINANCE NO. 64, 2008. AUTHORIZING AND DIRECTING THE AUDITOR TO TRANSFER FUNDS, TO PROVIDE ADDITIONAL APPROPRIATIONS AND ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to suspend with the second and third reading of amended Ordinance No. 64, 2008. Motion passed 7-0.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to adopt amended Ordinance No. 64, 2008 as read. Motion passed 7-0.

Mr. Walden – I should point out that Mr. Tobergte was nice enough to give me the entire wording of the amendment and I hope that Council doesn't mind the short hand version of the motion to amend.

OLD BUSINESS

Mrs. Bedinghaus – At the COW meeting last week, since we are not going to pursue it at this particular time, the recommendations by the safety study that was done on Ross Ave., I asked the Safety Director if he could look at the parking between Broerman and Greenlee Aves. on that side of the street. It is very difficult to pull out of Broerman Ave. and also for those individuals that live there on Ross Ave. to pull out of their driveways with the parked cars there. It gets very hard to see the traffic coming up and down and you just have to kind of creep out and just hope that nobody is coming.

NEW BUSINESS

Mrs. Brickweg – Just two short things. I had a couple of phone calls to my house, apparently I switched over to the new Yahoo which I guess isn't as good as the old Yahoo and some of the people's addresses on my list seem to have gotten deleted. If anybody is not getting my updates that I try to

send out once a week or once every two weeks, let me know and I'll make sure that I still have the addresses but for some reason it got off the list. I had like 140 people so I'm not sure who is there and who is not. Feel free to contact me at home or even drop me an email and I'll re-add you to it. The second note, Gerry Wiedmann just wanted me to announce that at the January 15, 2009 COW Stephan Spinosa will be attending. He is from ODOT and he will be bringing the ODOT real estate agent with him so we can discuss what to do with the Service Dept. building and the Fire Dept. building. The possibility of, we know we're losing the Service Dept. building, but we'll also discuss the Fire Dept. building.

Mr. Tobergte – This should have been brought up under Old Business, I apologize for that. Today's meeting with the CIC and the Heritage Foundation, as the presenters have brought it up time and time again to shop local, to keep your local businesses booming, surviving. I would like to then urge the Mayor, I've done it in the past, try to urge our Dept. Heads to try to shop local, have our cars repaired locally, there's no reason why we can't support our own businesses.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

Mrs. Brickweg – The next COW meeting will be Thursday, December 11, 2008 at 7:30pm.

Motion by Mr. Zix, seconded by Ms. Hausfeld to adjourn. Motion passed 6-1. Mr. Tobergte voted no.