

**ST. BERNARD VILLAGE COUNCIL MEETING
DECEMBER 18, 2014**

The regular meeting of the St. Bernard Village Council was held Thursday, December 18, 2014 in Council Chambers.

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

Roll call showed that six members were present: Mr. Tobergte, Ms. Hausfeld, Mr. Kalb, Mr. Asbach, Mrs. Schildmeyer, and Mrs. Bedinghaus.

Mr. Asbach made a motion to dispense with the reading of the minutes. Mr. Kalb seconded the motion. Council agreed 6-0.

REPORTS OF CITY OFFICIALS

MAYOR, Mr. Burkhardt – (read by Mr. Walden) I am sorry that I am unable to be there tonight, but I am having a medical procedure tomorrow morning and need to get ready for it tonight.

I want to thank the Council members for their help in getting the 24 Ordinances for the TIF on the table for a vote tonight. We only had a short time to do this, and I thank everyone for getting it done. I ask Council to pass this tonight. Ordinance No. 77, 2014 is also before Council tonight. Council has told me that you want me to negotiate the terms of employment for Village employees and I have done that with the Police Chief. Those terms are in Ordinance No. 77, 2014 and I ask that you pass that Ordinance tonight.

AUDITOR, Mrs. Brickweg – Tonight on my agenda is multiple Ordinances. The first two I need to speak about are “Then and Now” Ordinances, for the Law Director. I put them in your mail boxes. The first one being Ordinance No. 81, 2014 for Taft, Stetinius and Hollister. (inaudible) .

And then the second one was a “Then and Now” for Donnellon and Donnellon and Miller and this is the Attorney we’re using for the TIF financing and on this one the amount of the bills that we currently owe are for \$14,405. 30. We will ask them to put an additional appropriation for professional services, originally we were talking about needing it but then Curtis got some more legal bills since the COW so we no longer have enough money to move it. That’s what that one is. Bare with me I have a bunch of them. And then there is Ordinance 80. 80 is what was discussed at the COW plus a few minor things in. This is allowing for an additional appropriation in 2-K-2 Miscellaneous in the amount of \$30,000.00. There is no plan to use that money, that’s just in case something happens by the end of the year with Council not meeting and the way it’s looking I think where it might be used occasionally is utilities because they’re all divided up right now, some of them are running a little low. It also has an additional appropriation of \$5,573.94 in to the CIC. That is the money that we have collected for Pizza Hut for ACH payment. Paul is working on it and hopefully that is going to end soon. The other one is moving money in the swimming pool fund at C-7, \$2,500.00 for the electorate to S-P-8 \$2,500.00 into the water. And that is in regard to the water bill that Bill discussed last week. And then finally it’s moving \$500,000.00 from the General Fund transfer out 5-A-19 to 51-1000 employee health plan cash

account. That's going to be the money that's going to be appropriated into the appropriate cash account.

And then finally, and I'm sorry this is why I was late, there seems to be some confusion, everybody has two Ordinances No. 79. This was discussed earlier in the week and I just talked to the Mayor on the phone now and I guess there is some confusion. He said he was going to try and he does plan on talking to Recreation and see if they can help out with some of the hours but basically he had just, there's been a lot of people complaining down at the fitness center about the hours and closing and not opening in the late afternoon or in the evening or the early morning so the Mayor had asked what it would cost to just add a few hours during the week, because pretty much when you look at the survey, over 55% of the people said that's what they would like. So what was proposed was instead of opening it at 9:00 in the morning it should open at 8:00am and instead of closing it at 8:00pm, closing it at 9:00pm adding a couple of hours on Saturday and Sunday and leaving it open during the day instead of closing 2:00 until 4:00. That was going to be, I sent everybody that, at \$13,000.00. So what I did was up to you guys. I didn't want to pass the budget up. I didn't want somebody to say they're not going to vote, it is still under budget with that, so he wanted, he said he wanted me to present it that way. He is in approval of adding the hours and like he said if people don't use it we can always stop the hours but he told me to hand you two of them so if you look at the section, the first one is the original budget and the second one I just highlighted the yellow so you can tell the difference, that's the one with the additional money for keeping the fitness center open and also it's just the fitness center, not Dial-A-Ride. So, and that number is actually high because the average, I took the highest salary which is \$12.00 an hour. I took it to be open 52 weeks a year, which it is not, so I gave it a very high scenario, it will be lower but I didn't want to do it low when he asked for the number and people are more than welcome to look at the surveys that they gave and I was really surprised to see the turnout. The paper survey where 32 people answered and the online 23. That seems like a pretty good number for the people that work down there. There has been some discussion and I've kind of said that the few of us that work out down there, it's not for me because I work out at lunch and it's always open on my lunch, but basically the people that use the fitness center are not the people using the pool and they are not people using with their kids in sports and that's what they're pretty much saying that that's pretty much all they use and I just wanted to make it so they could actually go before work or after work. So that's something for that you guys can discuss but one of those Ordinances I just do hope you put on the table to vote on tonight and I think that's it with all of my Ordinances. If there are any questions?

DIRECTOR OF LAW, Mr. Walden – Before Council tonight are the 24 TIF Ordinances. These create 6 TIF projects and these Ordinances allow St. Bernard to keep a much larger share of the taxes on the improved facilities at all six of those locations. These have been prepared fairly quickly and as the Mayor said, I appreciate Council's ability to move these along quickly. If we vote on those and pass those tonight then we can maintain a much larger share of the taxes on those six projects. All of which have been approved this year.

I have met briefly with the President of Council and Mr. Asbach in order for us to take one vote on the motion to suspend the second and third reading of the 24 Ordinances and to take one vote on all 24 Ordinances. That will require some motions where all Council agrees that they will vote the same on both the motion to suspend and on the Ordinances themselves and that will allow us to keep from

having to take a vote 48 times on those two issues. If anybody has any questions I'd be more than happy to help with that.

TREASURER, Mr. Ungruhe – I have prepared the monthly Treasurer's report for the month of November, 2014:

The Village received in revenues: \$ 710,531.48

Receipts for the year through November 2014: \$13,382,786.42

Copies have been distributed to member of Council and to the Clerk.

SAFETY DIRECTOR, Ms. VanValkenburg – Our new Village Safety Center is occupied and operational. Chief Meyer recently completed a walkthrough of the building with the, the old Fire Department Building, with a representative from the State of Ohio and the keys to that old building have been turned over to the State. Also, you have before you tonight Ordinance No. 77, which is fixing the compensation, the benefits of the Chief of Police, which I would urge you to pass this evening. There was discussion of this at the COW last week. I did make the changes that we had discussed. In fact I deleted any reference about, there had been some confusion with reference to the amount of time that remains outstanding of the current amount of vacation time verses the prior accrued vacation. I just basically deleted any reference to that other than the fact that there had been a new policy instituted. As you can see the last line, the Mayor directed that the vacation time is to be used by December 15, 2015 to avoid forfeiture of the accrued vacation time to avoid any lump sum payment which I know was a concern of Mrs. Brickweg. I would urge that it be passed. I think I left out the date at the top and obviously it would be December 18th and we would need to get that written in.

SERVICE DIRECTOR, Mr. Stegman – I also went through the, with the State today and signed the documents and turned all the keys in except for a couple. J.R. Jergens is looking to take that building over probably immediately to start working on the site. Also this week we got a price back for the leaf pick-up for \$5,500.00 to fix this. I was talking to Mr. Tobergte and to Peggy with that line item being so short we would have had to take \$5,500.00 out of Miscellaneous. We also received our 200 tons of salt. It was delivered on Wednesday. I would also like to thank Jason Slusher for his years of service. Last Wednesday was his last day. Mr. Tobergte, I just wanted to let you know, today, I made contact with another person, a new person with CFX, and was discussing the train depot. I will keep you up to date. It's just another person. Also, the Mayor and I went to Seniors on Wednesday and had a chance to wish two of our Senior ladies a happy "90th" birthday. It was very nice to see the girls over there enjoying Bingo and we gave them balloons and a card. They were very happy. Also, the Mayor and I would like to wish everybody a Merry Christmas and a Happy New Year.

TAX COMMISSIONER, Mr. Geiser – Absent.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Tobergte – The Finance Committee presented the 2015 budget to Council at last weeks COW meeting. When the Ordinance comes up for a vote I will explain the budget then.

I would like to thank St. Bernard Skyline for donating the free cheese coney gift cards that were given to each youngster that attended December's Block Watch meeting. Also, Officer Derrick Setters donated a pair of Reds tickets and New

Shoots Landscaping donated a \$100.00 Walmart gift card. Also, last but not least to Rodney Chatman for presenting his “Stranger Danger Program”. Merry Christmas and Happy New Year to everyone.

SAFETY, Mr. Culbertson – (read by Mrs. Schildmeyer) I would like to thank Captain Rodney Chatman of the University of Cincinnati Police Department. Rodney gave a wonderful presentation about stranger danger to the kids and parents who attended the Block Watch meeting this past Tuesday. I would also like to wish all the residents a Merry Christmas.

SERVICE, Mr. Asbach – No report.

PUBLIC IMPROVEMENTS, Mrs. Schildmeyer – Merry Christmas and Happy New Year.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – No report.

BUSINESS AND INDUSTRY, Mr. Kalb – No report.

HIGHWAYS AND TRANSPORTATION, Ms. Hausfeld – No report. I would like to wish everybody a Happy Holiday.

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

Committee of the Whole
Dec 11, 2014

1. Council approved the minutes of the Dec 4th Council meeting.
2. Mr. Doug Miller answered questions about the TIF Ordinances and Council voted 7-0 to place the 24 Ordinances on the table.
3. Mr. Paul Meyers told Council about a program, thru the Port of Greater Cincinnati Development Authority, called the “Home Weatherization Program” that gives a five year forgivable loan for an owner occupied property for window replacement. Repayment of the loan will be required if the property is sold, refinanced, transferred or the owner ceases to live in the house, anytime prior to the 5th year anniversary. The loan is up to \$5,000.00. Please visit the Village website for additional info. Ms. Hausfeld asked Mr. Meyers about an email she received about the Cleveland Ave. project. It was stated that new homes are going up around Councilpersons, as well as the Mayor’s house, but nothing was being done on Cleveland. It was stated that we should know more about the Cleveland Ave. properties within about 10 days.
4. Auditor, Peggy Brickweg
 - A. Asked for an Ordinance for additional appropriations and to move funds for certain line items. Council voted 7-0 to place an Ordinance on the table.
 - B. Also asked for two, and possibly three, “Then & Now” Ordinances for lawyer’s bills from the Law Director and Tax Commissioner. Council voted 7-0 to place those Ordinances on the table.
5. Law Director, Curtis Walden
 - A. Said that the one bill that Peggy talked about was for the work on the Bank Ave. litigation.
 - B. Told Council that a unanimous vote by Council, on the 24 TIF Ordinances, to have them all read by title only and that one vote would apply to all 24 Ordinances since they all dealt with the same matter but different businesses.
6. Safety Director, Valerie Van Vulkenburg

- A. Gave Council a copy of the proposed Ordinance for the Police Chief. After some discussion on a section that dealt with vacation time that had been earned but taken away, Council voted 7-0 to place the Ordinance on the table.
7. Service Director, Phil Stegman
 - A. Discussed a proposed Ordinance for the street lights along Vine St. for the streetscape project. Council voted 7-0 to place the Ordinance on the table.
 - B. Reported that the new Safety Center goes live on Monday Dec 15th at 8 AM.
 - C. Told Council that the leaf truck broke down and asked residents that if they had a small amount of leaves that they place them in bags or cans for their regular trash pickup day.
 - D. Reported that our salt has arrived and he is making arrangements to have it transported to the salt bin.
 - E. Said that we received a credit of \$7,164.19 from MSD, for the water that leaked from the pool this year.
 8. Finance, Don Tobergte
 - A. Reported that the committee met last night to finalize the 2015 proposed budget. Council voted 7-0 to place the Ordinance on the table.
 9. Safety, Ray Culbertson
 - A. Reported that the next Block Watch meeting will be Tuesday Dec 16th at 6:30 in the main level of the Municipal Building. Parents of children in grades 3-6 are encouraged to bring their children to the “Stranger Danger “presented by Officer Rodney Chapman. There will be door prizes for the children also.
 10. Public Improvements, Diana Schildmeyer
 - A. Stated that the email that Ms. Hausfeld received had a few unfair statements in it. Yes there is a new house being built by her, but it is a private builder not the Village building the home.
 11. A resident asked who to contact about damages from the gas line replacement work being done. Mr. Stegman told him that he was the contact and would help him.

COMMUNICATIONS

None.

RESOLUTIONS AND ORDINANCES

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to read this evening’s Ordinances by title only. Motion passed 6-0.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus that all Council members agree that their vote will be the same on the motion to suspend the second and third reading of Ordinances 53 through 76, 2014 that deal with the TIF. It will need to be a unanimous vote to allow us to avoid voting on a motion 24 times. Whichever vote a Council member makes on the motion to suspend will be recorded in the minutes as his or her vote on each of the 24 Ordinances. The motion to suspend passed 6-0.

ORDINANCE NO. 53, 2014. AN ORDINANCE PURSUANT TO REVISED CODE SECTION 5709.40(B) DECLARING TO BE A PUBLIC PURPOSE CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE NECESSARY FOR THE DEVELOPMENT OF THE 3D COLOR PROJECT DEVELOPMENT ON A PARCEL OF REAL PROPERTY LOCATED IN THE VILLAGE OF ST. BERNARD AND EXEMPTING IMPROVEMENTS TO THAT PARCEL FROM REAL PROPERTY TAXATION, REQUIRING THE

PAYMENT OF SERVICE PAYMENTS IN LIEU OF THE EXEMPTED PROPERTY TAXES AS A COVENANT RUNNING WITH THE LAND AND AUTHORIZING THE USE OF THE SERVICE PAYMENTS FOR THOSE PUBLIC INFRASTRUCTURE IMPROVEMENTS, AUTHORIZING EXECUTION OF A RELATED SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR APPROPRIATE TO SUCH PURPOSES, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE SERVICE PAYMENTS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 54, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE GREAT OAKS JOINT VOCATIONAL SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 55, 2014. ORDINANCE DECLARING OFFICIAL INTENT WITH RESPECT TO REIMBURSEMENT FOR CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 56, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE ST. BERNARD-ELMWOOD PLACE CITY SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 57, 2014. AN ORDINANCE PURSUANT TO REVISED CODE SECTION 5709.40(B) DECLARING TO BE A PUBLIC PURPOSE CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE NECESSARY FOR THE DEVELOPMENT OF EMERY PINEAPPLE PROJECT DEVELOPMENT ON A PARCEL OF REAL PROPERTY LOCATED IN THE VILLAGE OF ST. BERNARD AND EXEMPTING IMPROVEMENTS TO THAT PARCEL FROM REAL PROPERTY TAXATION, REQUIRING THE PAYMENT OF SERVICE PAYMENTS IN LIEU OF THE EXEMPTED PROPERTY TAXES AS A COVENANT RUNNING WITH THE LAND AND AUTHORIZING THE USE OF THE SERVICE PAYMENTS FOR THOSE PUBLIC INFRASTRUCTURE IMPROVEMENTS, AUTHORIZING EXECUTION OF A RELATED SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR APPROPRIATE TO SUCH PURPOSES, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE SERVICE PAYMENTS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 58, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE GREAT OAKS JOINT VOCATIONAL SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 59, 2014. ORDINANCE DECLARING OFFICIAL INTENT WITH RESPECT TO REIMBURSEMENT FOR CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 60, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE ST. BERNARD-ELMWOOD PLACE CITY SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 61, 2014. AN ORDINANCE PURSUANT TO REVISED CODE SECTION 5709.40(B) DECLARING TO BE A PUBLIC PURPOSE

CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE NECESSARY FOR THE DEVELOPMENT OF THE RUMPKE RECYCLING PROJECT DEVELOPMENT ON A PARCEL OF REAL PROPERTY LOCATED IN THE VILLAGE OF ST. BERNARD AND EXECMPING IMPROVEMENTS TO THAT PARCEL FROM REAL PROPERTY TAXATION, REQUIRING THE PAYMENT OF SERVICE PAYMENTS IN LIEU OF THE EXEMPTED PROPERTY TAXES AS A COVENANT RUNNING WITH THE LAND AND AUTHORIZING THE USE OF THE SERVICE PAYMENTS FOR THOSE PUBLIC INFRASTRUCTURE IMPROVEMENTS, AUTHORIZING EXECUTIONS OF A RELATED SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR APPROPRIATE TO SUCH PURPOSES, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE SERVICE PAYMENTS, AND DECLARING AN EMERGENCY.

ORDINANCE 62, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE GREAT OAKS JOINT VOCATIONAL SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE 63, 2014. ORDINANCE DECLARING OFFICIAL INTENT WITH RESPECT TO REIMBURSEMENT FOR CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE 64, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE ST. BERNARD-ELMWOOD PLACE CITY SCHOOL DISTRICT, AND DECLAIRING AN EMERGENCY.

ORDINANCE 65. 2014. AN ORDINANCE PURSUANT TO REVISED CODE SECTIONS 5709.40(B) DECLARING TO BE A PUBLIC PURPOSE CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE NECESSARY FOR THE DEVELOPMENT OF THE PROCTER & GAMBLE RESEARCH AND DEVELOPMENT PROJECT DEVELOPMENT ON A PARCEL OF REAL PROPERTY LOCATED IN THE VILLAGE OF ST. BERNARD AND EXEMPTING IMPROVEMENTS TO THAT PARCEL FROM REAL PROPERTY TAXATION, REQUIRING THE PAYMENT OF SERVICE PAYMENTS IN LIEU OF THE EXEMPTED PROPERTY TAXES AS A COVENANT RUNNING WITH THE LAND AND AUTHORIZING THE USE OF THE SERVICE PAYMENTS FOR THOSE PUBLIC INFRASTRUCTURE IMPROVEMENTS, AUTHORIZING EXECUTION OF A RELATED SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR APPROPRIATE TO SUCH PUROSES, ESTABLISING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE SERVICE PAYMENTS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 66, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE GREAT OAKS JOINT VOCATIONAL SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 67, 2014. ORDINANCE DECLARING OFFICIAL INTENT WITH RESPECT TO REIMBURSEMENT FOR CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 68, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE ST. BERNARD-ELMWOOD PLACE CITY SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 69, 2014. AN ORDINANCE PURSUANT TO REVISED CODE SECTION 5709.40(B) DECLARING TO BE A PUBLIC PURPOSE CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE NECESSARY FOR THE DEVELOPMENT OF THE PROCTER & GAMBLE RENAISSANCE BUILDING PROJECT DEVELOPMENT ON A PARCEL OF REAL PROPERTY LOCATED IN THE VILLAGE OF ST. BERNARD AND EXEMPTING IMPROVEMENTS TO THAT PARCEL FROM REAL PROPERTY TAXATION, REQUIRING THE PAYMENT OF SERVICE PAYMENTS IN LIEU OF THE EXEMPTED PROPERTY TAXES AS A COVENANT RUNNING WITH THE LAND AND AUTHORIZING THE USE OF THE SERVICE PAYMENTS FOR THOSE PUBLIC INFRASTRUCTURE IMPROVEMENTS, AUTHORIZING EXECUTION OF A RELATED SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR APPROPRIATE TO SUCH PURPOSES, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE SERVICE PAYMENTS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 70, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE GREAT OAKS JOINT VOCATIONAL SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 71, 2014. ORDINANCE DECLARING OFFICIAL INTENT WITH RESPECT TO REIMBURSEMENT FOR CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 72, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE ST. BERNARD-ELMWOOD PLACE CITY SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 73, 2014. AN ORDINANCE PURSUANT TO REVISED CODE SECTION 5709.40(B) DECLARING TO BE A PUBLIC PURPOSE CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE NECESSARY FOR THE DEVELOPMENT OF THE PROCTER & GAMBLE JUNE STREET ACCESS PROJECT DEVELOPMENT ON A PARCEL OF REAL PROPERTY LOCATED IN THE VILLAGE OF ST. BERNARD AND EXEMPTING IMPROVEMENTS TO THAT PARCEL FROM REAL PROPERTY TAXATION, REQUIRING THE PAYMENT OF SERVICE PAYMENTS IN LIEU OF THE EXECMPTED PROPERTY TAXES AS A COVENANT RUNNING WITH THE LAND AND AUTHORIZING THE USE OF THE SERVICE PAYMENTS FOR THOSE PUBLIC INFRASTRUCTURE IMPROVEMENTS, AUTHORIZING EXECUTION OF A RELATED SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR APPROPRIATE TO SUCH PURPOSES, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE SERVICE PAYMENTS, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 74, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE GREAT OAKS JOINT VOCATIONAL SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 75, 2014. ORDINANCE DECLARING OFFICIAL INTENT WITH RESPECT TO REIMBURSEMENT FOR CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 76, 2014. AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE ST. BERNARD-ELMWOOD PLACE CITY SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to adopt Ordinances No. 53, 2014 through Ordinance No. 76, 2014 in a unanimous vote as everyone's vote will be recorded for all included Ordinances. Motion passed 6-0.

ORDINANCE NO. 77, 2014. FIXING THE COMPENSATION AND BENEFITS FOR THE CHIEF OF POLICE OF THE VILLAGE OF ST. BERNARD AS OF 12/31/2014 AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to suspend with the second and third reading of Ordinance No. 77, 2014.

REMARKS

Ms. Hausfeld – I have mixed feelings on this. I'll be honest, sitting here right now, my vote is more than likely going to be no, which I'm sure some of you guys know that already. Correct me if I'm wrong, but I believe, and I really wish the Mayor was here, I realize he's having a procedure tomorrow but this is kind of his baby and kind of a blunder but to let the public know what's going on is a year ago I believe, well, yeah, Peggy can probably explain it better than I can but I'm going to do my best and then she can reiterate it. About a year ago, the Mayor had told certain people, which I'm not sure exactly who was all involved, I believe Eddie Geiser was, I believe Walt Moeller was, and I believe the Chief of Police was, that they had to use their accrued vacation, accrued vacation or they lost it by a certain date. Certain members used it because they didn't want to lose it and certain members didn't, which the Chief is one of them. Now we hear a year later, giving it back to him. And I've heard the rumors that if we don't give it back to him he is going to sue. But my question is, how can we give something back when we took it away and made people use their vacation even though they didn't want to at that particular time and I really wish Mr. Geiser was here to say for his own sake, but he's not either and to me it's like, it's a no win situation because if we do pass it, yeah, you're going to make Chief Moeller happy, if you don't pass it you're going to (expletive) off other people and it's a no, to me it's a no win situation. So if anybody else has anything to add, I'd appreciate it but I just don't feel comfortable doing this and I weighed my options to abstain from it but I'm not going to abstain from it because I've never abstained from anything else because it doesn't affect me. But yet I do have mixed feelings on this and I don't believe that we need to go from one extreme to the other extreme just because somebody says, "I'm going to sue." So that's my feelings.

Mrs. Schildmeyer – I seconded this motion not because I was afraid of being sued, I've never heard that before. And Ms. Hausfeld you can't abstain from a vote just because you don't want to vote. We have to vote for everything and I think emergency personnel perhaps fall into a different category.

Mr. Asbach – According to this Ordinance, basically what we have done is given the Chief an extra year to use his vacation. The way that I read this last sentence that was added in was that if he doesn't use it by December 15, 2015 he will lose the weeks that he has. It happened in the past. It happened that other people had to use it sooner. I don't know why they didn't. I've talked to other people in the State and they have up to three years to use their vacation. He has a year to use it, I have no problem with the policy he negotiated with the Mayor and now we have to live by it.

Mrs. Brickweg – I would like to explain all this so you understand. I was blind sided last week or I would have had all the facts with me to let you know what did occur. It was a couple of years ago. The Mayor and I got together and I'm hoping all of Council got the information I sent you but if you read the Ordinance that, what was talked about, the Police Chief, talked about, he continually said that he is tied in with the Service Dept. contract when it comes to carrying over vacation. And Dianna it has nothing to do with emergency personnel, the Fire Chief cannot carry over his so it has nothing to do with emergency work or anything. Basically the Police Chief has said over and over that he believes he's in the Service Department contract for that but he believes he is in the Police Contract for other things. So I would just like to read this so people know. In this Ordinance it says the Chief of Police shall receive the same benefits as bargained for in any current collective bargaining agreement for the following; Holidays, vacation, regular and seniority, sick leave, funeral leave, injury leave, educational training, longevity pay, insurance benefits, uniform and vehicle reimbursement. There's also a Section B which lists the same thing for the Fire Chief. Now the Fire Chief is different now because when Kerry was sworn in he had his own Ordinance. In the Ordinance that Steve Moeller is a part of it actually says in there that only person that cash out their vacation is the Fire Chief. It doesn't list the Police Chief. Granted, like I said before the Fire Chief is not in that anymore. Now where the Police Chief is saying he is part of the Service Department, this is who it says is part of the Service Department Contract; the Service Director, Commissioner of Streets, Auditor, Tax Commissioner, Code Assistance Officer, Health Nurse, Records Clerk, Auditor Clerk, Mayor's Clerk, Planning and Development Clerk, Police Department Clerk and Tax Commissioner Clerk. Basically those are all the City Hall employees which are all null and void in this because they have their own Ordinance. They keep telling us because of past practice they have been able to do it. When he tells you "they" who he is telling you is the previous Service Director, the previous Auditor and the previous Deputy Auditor and yes they could. Should they have, I would say, not, because after talking to Phil the only reason that clause is in the Service Department contract is if an employee was hired in the later months out of the year and they don't have a chance to use their vacation. He will allow them to pull them over and he said it has only happened once. That is why it also says that the only person that can approve this carryover is the Service Director. Now if you look in all the personnel files from the three people that have carried it over you are right. It was Ed, Walt and Steve. The Service Director approved of that, ever. It was always the Mayor. So right there it's null and void. What I'm being told by the Law Director is because it was done in the past, that we should continue to do it. Unless somebody can show me where a Chief of Police cashed it out I don't see how it's been done in the past because all the ones I just named you, they do have the ability to do it. But if you read the Ordinance it says what it does. That's why it was taken away and that's why Bill did that. Yeah, Steve Moeller has said that he will sue us if he doesn't get it back. Which is the one reason, I mean, it's Council's vote, but I did want you to know

that Bill and I did have a reason for doing it. It is an Ordinance that Council passed in the year 2000 it wasn't just something somebody made up. But I will say the one thing I find very odd in Ordinance 77 that in all my time in Council I never seen is that putting it in there the City has to go out and pay to prove it. I've never seen that before. Usually the employees if the City does something then they have to prove that what the City did was wrong. Whether it be wrong or right, but I've never ever seen this in and Ordinance. I'm not sure how this got in there but that part I would suggest for sure that you delete because that's a liability for the City right there. I do appreciate Bill, with the one he got last week that he could still pay it out and Bill said that was never supposed to be and so I do commend him for taking that out. He is going to give him another year to use it, that's his call, that's your call but if I read the Ordinance I don't see, I would like to see somebody prove to me an Ordinance that said he can do this and show me another past Police Chief that has done it because I have not been able to find any of that.

Mr. Walden – The Mayor did ask me to address Council on this tonight. As you know at one point the Mayor got a little frustrated with negotiations and offered to turn those over to Council. Council made it very clear they wanted the Mayor to continue negotiating with employees. Part of the negotiations with the Police Chief with negotiating this carryover of his vacation time, I don't know what significance Ordinances from fifteen years ago is on this, the Mayor negotiated during this year the fact, an agreement that the Police Chief could carryover this vacation time and since Council has charged him with doing these negotiations, that's why he's asking Council to pass this tonight. Patty, I understand what you're saying, Ed did use his vacation time so it's not like he lost anything, I don't know what's going to happen with Walt, that's not the issue tonight but the Mayor did state that he worked very hard and long on putting this agreement together containing the terms of employment and since Council has directed him to do that, that's why he would like the Ordinance passed tonight.

Mrs. Brickweg – That's the first I heard that. It might have been nice if the Mayor would have said that to me. He's never once said he negotiated this in there. All I've ever heard is it's going in there because he's going to sue us. That did not come from the Mayor, it came from Valerie but it would have been nice to know that he negotiated that. I didn't know that so I'm sorry about that.

Ms. VanValkenburg – He said that on the record at COW last week. It's on the tape. He said he negotiated that. I do think, and I can't respond to whatever Mrs. Brickweg is referring to because I wasn't served with a copy of it. She didn't email that to me. So unfortunately I can't address those positions. I haven't had a chance to look at it. If Council desires to take out the one clause that starts at the top of the second page, "Further, unless and until the Village receives a final order from a court of competent jurisdiction expressly directing the Village to the contrary" that clause could be removed but it was put in there because it was recognizing current case law, which is basically that you can't take away somebody's deferred compensation in this kind of manner that perhaps we did. That clause could be removed and it would start with "the" after that comma, to be capitalized and that still recognizes the current accrued vacation time which was the negotiations with the Mayor.

Mrs. Brickweg – I will apologize for not giving you that but the last time we discussed this you said you had looked at the Ordinance so I just assumed you still

had it so that's why I didn't send it to you, when we discussed it in your office. I just assumed you still had it.

Mr. Tobergte – Peggy, first, since you emailed tonight, I never got that email Monday with that Ordinance in it.

Mrs. Brickweg – I don't know what happened, I asked everyone if they got it, I'm not sure what happened. I did send it to your personal one so maybe that was

Mr. Tobergte – They both come to the same place.

Mrs. Brickweg – Yeah, I don't know but I asked a couple and they did get it so I'm not sure what happened, I'm sorry about that.

Mr. Tobergte – Valerie, can you go over what you want to strike again, please?

Ms. VanValkenburg – I don't want to strike it, I think it should be there. If you go to the back page, where it starts "Further, unless and until the Village" it's that whole first clause.

Mr. Tobergte – I see it now.

Ms. VanValkenburg – We could remove that clause.

Mrs. Bedinghaus – Valerie, could you again explain what that means, the case law, you talked about that, what is case law?

Ms. VanValkenburg – The case law that I found, as I understand it, as I read it, accrued vacation is what has accrued over the years when it was allowed to accrue and basically in exchange for compensation. You can't just take that away. You can institute a new policy. (unheard portion) The case law that I see suggest that you cannot just wipe out what somebody was allowed to accrue.

Mr. Walden – Cindi, I would like to follow up on that. I think the way the language, and I didn't prepare that language, but I think it was written that way because a court can come in and say, no that's wrong, so if a court does it and tells St. Bernard you have to take that away, then a court of jurisdiction has done that and we're off the hook. I think that's why that particular section was written that way.

Mrs. Bedinghaus – Thanks for clarifying that. Obviously this is a mess. I'm not sure if there is policy, Ordinance, whatever was out there but it was a practice that was allowed and it's been allowed for quite a long time. I'm not sure how many hours the Chief when this was given to him and stated that he had to use it within a period of time. Maybe it was too many, and unreasonable for him to be able to use in that period of time. I don't know. I'm just going along with what I know other companies do and you do have a longer period of time based on the number of hours so it's not equitable. Maybe somebody that only had eighty hours could use it in a year. Maybe somebody with more like Chief Moeller, it wasn't even reasonable for him to be able to use it in that time frame. I don't believe that this should be something that should be taken away from him once he accrued it. However we need to rectify it for him, I think he deserves his time.

Mrs. Brickweg – I do want to say it was never just taken away. He was given an entire year like everybody else that had it. He used six hours of it. In an entire year. The other employees worked very hard to get it down. It was never just taken away, he was given a whole year and every department had a meeting and everybody was told the same thing and everybody did. I will tell you that Bill has other employees that they have not used their vacation and it has been wiped off the books. Because that's the way it is for every other employee. That is a little bit of a fear that I have because it says you cannot, it's not in the contract that you can't carryover but it's not that you can. But I did ask at the Police Station and the Police Officers are not allowed to carry any vacation over. So, I know the Fire Department is not allowed, the service garage, and Phil said the only time they are is if they are a new employee and then City Hall, Bill did just come up with a policy that you can carryover forty hours but it has to be used by March 31st. So, it wasn't like this was something just thrown out there. It was discussed but my only concern was that only a certain few employees could do this and none of the rest could and I can't find anywhere where it lists that these people are allowed to do it and the other people are not. That was one of my conflicts is we're allowing two or three people to do something but we're forbidding everybody else to do and I just didn't know about that.

Ms. VanValkenburg – The majority are covered by collective bargaining agreements. There are things that are just in collective bargaining agreements. There's a little bit of a difference with some of the other employees, such as the Chief of Police, he is not himself subject per se, he is not part of the bargaining unit per se. They have separate negotiations with the Mayor. This is part of his negotiation with the Mayor.

Mrs. Schildmeyer – Can I ask, you just said the Mayor has set up a policy where City Hall employees can carryover.

Mrs. Brickweg – Yes.

Mrs. Schildmeyer – So how can we say.....

Mrs. Brickweg – You can accrue forty.

Ms. VanValkenburg –The new, not to interrupt Peggy but I think we're talking about the new stuff that comes each year with each, like January 1st people get a certain amount or however it's accrued based on their contract or whatever the policy is. He's not talking about that, he's not talking about the one hundred plus what's left.

Most of these employees are covered by contract and that would set forth those terms.

Mrs. Brickweg – He gets thirty nine days a year for vacation. So he could possibly bank five of those days and he has to use the rest. Does that make sense? And then the policy, you have to let City Hall know by June if you're going to use your vacation by the end of the year or carry forty days over. I understand what you're saying about the collective bargaining but when you read that, once again it says that pertains to the collective bargaining agreement when it comes to vacation. I guess I'm confused, what is collective bargaining and what is not.

Mrs. Bedinghaus – Would it be wise for us to just table this or have its first reading and wait until we have some more information about what is the best way to go because I'm not comfortable making a judgment and voting yes or no on this. I agree that he need his time, that's my personal opinion, but if it's going to cause some other issues we need to think through that and make sure we have everything covered before we go ahead and do this in my opinion.

Mr. Asbach – My thought is, by passing this we clear it up. He has no more after December of next year. He uses what he has or he loses it and then from then on it's the new policy of forty hours. I think everything Peggy mentioned more enforces why we need this. I'm 100% in favor of passing this and clearing it all out and being done with it. I think we're over thinking this thing.

Mrs. Schildmeyer – I would like to pass this tonight too.

Mrs. Brickweg – I agree, it clears it up for him but I will say that it does, I do worry about all the other employees that are out there. It does not say in the collective bargaining that they cannot carry their vacation over. It doesn't say that and that was this year. I wish it did because that would kind of solve it for everybody but I looked at it and it doesn't and that's my only fear. And I'm fine. I just think it does, and it does bother me a little bit but there were certain individuals that did exactly what the Mayor said and now one decided not to and he's just going to get it anyway.

Ms. Hausfeld – You guys know my opinion but I'm OK with tabling it for tonight or giving it its first reading tonight and letting Valerie have a chance to go over that paper work that Peggy had, but also making sure that Curtis gives us his legal opinion as far as from that paper work, is it legal, is it not and how it does affect, I don't even know how many other people have the ability to come back and say, well I didn't use mine that year either and I want mine now too. I would like to know who it will all affect besides just, because whatever we do its going to fold over into other people, I believe.

Mr. Walden – Patty I think I can address some of those issues tonight. My legal opinion is there is nothing that prevents the Police Chief from negotiating with the Mayor the terms of his employment which he has done here. There is a WRIFT that reviews the case law that the Safety Director found. It certainly says if you receive a benefit, even if it's not correctly received, but you are allowed to vest it, you can sue if that benefit is taken away. The best analogy I can probably give to Council is the old C-9 situation that we were in for all those years. The Federal Court ruling, no, most of those people should not have gotten the C-9 Trust benefits, but once they started getting them, you couldn't stop them and take them away. That's the same sort of logic that the court would be using here. If the employer of the municipality or the state is going to extend benefits, then you have a right to those benefits whether there was a legitimate right to start with, once you're receiving them you can't just take them away without due process. In terms of other people affected, I believe Ed and Walt Moeller are the only other two people in this same boat. Ed did use all of his vacation, he will be finishing his off the rest of this year. I don't know Walt Moeller's situation, I have not been asked to look into that but I think one thing that Council needs to be aware of and feel free to correct me, Mr. Asbach, if I'm wrong, but if we table this tonight, there are no more Council meetings or there won't be and you can't carry an Ordinance over from one year to the next. So this could come back up next year but I don't think

we can actually delay this particular Ordinance, No. 77, tonight and leave it at that for some other date.

Mrs. Brickweg – I just want to ask Curtis one question just so I understand this. When the Mayor, and I understand he negotiated this so I'm going to kind of look at this as something new, the Mayor just decided to give him the 181 hours, but when the Mayor told him to use his 181 hours in a year, would that not just suffice of not just taking them away?

Mr. Walden – The Mayor's opinion on that when I spoke to him today was that I told him to use them, the year is not up yet, I can change my mind and a new Ordinance would allow him to make an allowance for that because he could not work out taking 181 hours during this year. That's the Mayor's prerogative if he's going to let him negotiate the terms of employment.

Mrs. Brickweg – But it wasn't this year, it was last year. He had a whole year and he only used six.

Mr. Walden – That was 2014, correct?

Mrs. Brickweg – No. It was 2013. I'm just clearing it up for myself and then lets move on but when the Mayor told him to use it in that year he really didn't take it away, am I correct? By law. Because kind of we're doing the same thing here. I just want to make sure.

Mr. Walden – I would probably have to go back to the court of conflict jurisdiction on that point. Legally whether or not that is a right that he forfeited or a right he still maintains.

Mrs. Brickweg – OK, well the more I'm looking at it, it's the same thing but he just didn't do it. Ok, that's all.

Mr. Tobergte – Basically this is just Steve Moeller's contract for next year.

Doug Roll, Church St. – I know we're arguing about the vacation time but I just have a question for other employees of this City. My question is I guess more to Curtis, if I have five vacation days left at the end of the year and somehow I can't take them and the year goes to January 1st does that mean that I will lose them as a different employee other than the Chief or do I still get to use them because I accrued them in the year of which they were earned?

Mr. Walden – That's my understanding of the policy, it covers those city employees that are not covered by a collective bargaining agreement. I'm not sure what the vacation policy is for members of the police bargaining unit but that's what govern that.

Mrs. Brickweg – That's what I was saying Curtis, it doesn't say they can and it doesn't say they can't. It doesn't say anything.

Mr. Walden – That would be in the conflict jurisdiction if there was something that was missed by both sides in the negotiation process the way that things are currently arranged it would go to arbitration.

Mrs. Brickweg – Correct me if I’m wrong it’s a policy of the Fire Department that the Police Chief says you guys can’t carry it over.

Doug Roll – I don’t know if it’s a policy of the Fire Department.

Mrs. Brickweg – Oh, I’m sorry, the Police Department.

Doug Roll – As far as I know it is an unwritten policy that we cannot carry them over.

Mrs. Brickweg – Because the Police Chief says they can’t carryover.

Doug Roll – This has been a topic of discussion amongst some of the men. The Police Department is, if we have some left over at the end of the year, do we lose them and I think since we’re discussing this, is that correct or is that not correct?

Mr. Walden – Doug, without examining the Police collective bargaining agreement I can’t give you an answer off the top of my head. If it is an issue that was not addressed it may come under the management rights section which may give the Police Chief the authority to make that decision or issue that policy. I apologize but off the top of my head I can’t give you a legally binding answer.

Doug Roll – My second question is, I’m curious as to why this has to be done tonight. I’m just not exactly sure why this is going emergency and it has to be finished in 2014. It just seems like we’re rushing in to this. I got this from Phil, the audience didn’t even get a copy of this. Nobody got to see it except for everybody that’s sitting up here, I just don’t understand what the emergency is to have this done tonight.

Ms. VanValkenburg – I apologize, not having extra copies, I grabbed them off the copy machine and apparently did make enough to leave back there. That is my fault and I do apologize. We were trying to get something on board before the start of the year so he would know what he was covered by and how he could plan accordingly with his use of vacation time because he has things that he needs to do and that’s why we were trying to get it done prior to the end of the year.

Doug Roll - Again, there’s nobody I don’t think in this room that knows how this coincides with the police contract probably better than I do right now today as we’re sitting here and there are things in here that are different from what his current contract or agreement is with the City and I just think that that needs to be looked at and I could be in trouble for sitting up here talking to you about this but its different than what the current contract is and I believe the City has been in a holding pattern as far a giving raises to any employees and I just think that these need to be looked at according to what our current police officers get.

The motion to suspend failed 5-1. Ms. Hausfeld voted no.

Mr. Peck – Ordinance No 77, 2014 would take its regular course however we do not have enough meetings in the rest of the year so I believe Mr. Walden is correct we will have to take up this matter next year.

**ORDINANCE NO. 78, 2014 AUTHORIZING THE SERVICE
DIRECTOR TO ENTER INTO A PROPER CONTRACT FOR THE**

PURCHASE OF DECORATIVE STREET LIGHTS FOR THE VINE STREET STREETScape PROJECT FROM DUKE ENERGY AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 78, 2014.
Motion passed 6-0.

Mrs. Brickweg – I’m sorry to interfere but I just wanted to know which one they will be voting on because I do want to give copies to the audience. I copied them both so just let me know which one you will be voting.

Mr. Peck – Let’s address that now, if we could have some comments from Council.

Mr. Asbach – I know we talked earlier tonight about these two Ordinances. My personal opinion is that for the \$13,000.00 I believe Mrs. Brickweg told me that the weight center has made money the last two years. We put the pool hours back in and I think as was stated this is a different batch of people that use this and I’d just as soon go with the \$13,000.00 difference and go with that figure for this budget.

Mrs. Schildmeyer – I will be voting, I would rather see the additional hours for the fitness center. It will bring in more members and people can utilize it. Many adults can now use it that don’t benefit from the rest of our department opportunities.

Mrs. Bedinghaus – I also would like to see the Ordinance with the additional appropriation for the workout center. The one thing that I would ask though is for us to look over the next six months and see those extra hours and what the volume is of people that do use the fitness center so we can make an informed decision whether those hours are appropriate or what we need to do, just if we keep a record of the volume for the extra hours.

Motion by Mr. Asbach, seconded by Ms. Hausfeld to use Ordinance No. 79, 2014 with the appropriation total to be \$14,190,614.32.
Motion passed 6-0.

ORDINANCE NO. 79, 2014. AN ORDINANCE TO MAKE APPROPRIATIONS FOR EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF ST. BERNARD, STATE OF OHIO, DURING THE FISCAL YEAR 2015 AND ESTABLISHING NEW LINE ITEMS AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 79, 2014.

REMARKS

Mr. Tobergte – Part of this is wrong but the budget that was presented to Council and the Administration at last week’s COW meeting contains the following: We are getting a four year loan to purchase 4 new police cruisers. We are paying \$42,404.64 a year for 4 years which totals \$169,618.56.

There is money in the budget to increase the pool hours. Bill is going to meet with the managers to determine the exact hours and when the pool will open and close for the season in the near future. There is no money for the purchase of property or the CIC included again this year.

The estimated incomes are as follows:

Tax Dept.	\$9,700,000.00
Auditor	2,500,000.00
Bond Money	2,000,000.00
Total Income	\$14,200,000.00

Expenditures total \$14,190614.32

The leaves an approximate balance of \$10,000.00

Mrs. Brickweg – May I make another comment I forgot. Phil has been a little busy this week so we’ve been doing our best to get together with the bond issue project and so I kept it the way it is and what we’re going to do is around the 30th or the 31st he’s going to close out as much of his bills that he can. We kept it at \$2,000,000.00 but he closes out what we’ll have to do next year is just re-appropriate it, but it won’t be any more than the bond money was. So even though it is an additional appropriation then I can raise the bond money. It was just too difficult as busy as he’s been to go through all the purchase orders so that’s the way we decided. So that’s why that stayed at \$2,000,000.00

Mr. Stegman – And to add to that total after tonight there is no other Council meetings because if I get bills, if we move it over now, if I would get a bill now, next week or the last week I wouldn’t have any money left. It wouldn’t be there next year and if I close it out now, I wouldn’t have any money in the line item to pay the bills. It won’t be any more. Like I say, we’re going to close it down to the penny and then roll it over to start the new year instead of encumbering all that money over.

The motion to suspend passed 6-0.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to adopt Ordinance No. 79, 2014 as read. Motion passed 6-0.

ORDINANCE NO. 80, 2014. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS, MOVE AND TRANSFER FUNDS AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 80, 2014. Motion passed 6-0.

Motion by Mr. Asbach, seconded by Mr. Kalb to adopt Ordinance No. 80, 2014 as read. Motion passed 6-0.

ORDINANCE NO. 81, 2014. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND PROVIDING FOR THE PAYMENT OF ONE (3) INVOICES COVERED BY “THEN AND NOW” CERTIFICATION OF PURCHASE ORDER EXCEEDING \$3,000 AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Ms. Hausfeld to suspend with the second and third reading of Ordinance No. 81, 2014.

REMARKS

Mr. Walden – Just to repeat what I said at the COW, the fare was fairly large because that was for a two month period, October and November and that was when we were wrapping up everything and the matters with the Attorney General.

The motion to suspend passed 6-0.

Motion by Mr. Asbach, seconded by Mrs. Schildmeyer to adopt Ordinance No. 81, 2014 as read. Motion passed 6-0.

Mrs. Brickweg – Before you read this, there is only one invoice so just change that. Just a typo. One invoice, take the 3 out.

ORDINANCE NO. 82, 2014. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND PROVIDING FOR THE PAYMENT OF ONE (1) INVOICE COVERED BY “THEN AND NOW” CERTIFICATION OF PURCHASE ORDER EXCEEDING \$3,000 AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Kalb to suspend with the second and third reading of Ordinance No. 82, 1014. Motion passed 6-0.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to adopt Ordinance No. 82, 2014 as read. Motion passed 6-0.

Mr. Tobergte – Curtis, Peggy, in Ordinance No. 81 is said the same thing. Does it matter?

Mrs. Brickweg – You’re allowed to have little typos and I also have it in the top so its OK. Don’t you agree Curtis?

Mr. Walden – Yes.

OLD BUSINESS

Mr. Walden – I would like to thank Council for getting our TIF Ordinances passed for the end of the year because that will really help the City financially. And I would like to congratulate our Clerk, Mrs. Kathman, on doing a very fine reading of those Ordinances tonight.

NEW BUSINESS

Mr. Stegman – Just so the audience out there knows, a lot of people's phones were going off. There was an Amber alert out there for a little baby that was only a few days old over in Kentucky. They have found the baby in a car over in Dixie Hgts. or on Dixie Hwy. They said the baby was still sleeping. I apologize, normally we have our phones off but with an Amber alert it probably overrides the silent part of the phone, that's why I just wanted to make sure everybody knew what was going on.

Also it was brought to my attention by the ICRC girl said that on our website it says January 1st we have a meeting. That is not the case and hopefully they suspend with that but I wanted to make sure that people know that January 1st there is no Council meeting. We will get that corrected.

Mr. Asbach – I guess it's new, at this time I'll make a motion that we do away with the COW next Tuesday. Half of us are sick as dogs.

Mrs. Schildmeyer – I'll second that.

Mr. Asbach – As Mr. Stegman just stated, there are five Thursdays in January. We will not have a Council meeting on January 1st. It is the holiday. We will have a Council meeting on January 8th, COW will be the 15th and the two meetings following that.

The motion to do away with the next COW meeting passed 6-0.

Mr. Tobergte – I'll bring more cough drops next time.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

Motion by Mr. Asbach, seconded by Mr. Kalb to excuse the absent member.
Motion passed 6-0.

Mr. Peck – I know you just said this Mr. Asbach but please tell us again when the next COW meeting is.

Mr. Asbach – The next COW meeting will be Thursday, January 15th, at 7:00pm.
The next Council meeting will be Thursday, January 8th at 7:00pm.

Motion by Mr. Tobergte, seconded by Mrs. Schildmeyer to adjourn. Motion passed 6-0.