

**ST. BERNARD VILLAGE COUNCIL MEETING
DECEMBER 7, 2017**

The regular meeting of the St. Bernard Village Council was held Thursday, December 7, 2017 in Council Chambers

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

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

Mayor Estep swore in John Goeke as a Lieutenant in the St. Bernard Fire Department.

Mr. Asbach made a motion to dispense with the reading of the minutes. Mrs. Bedinghaus seconded the motion. Council agreed 7-0.

REPORTS OF VILLAGE OFFICIALS

MAYOR, Mr. Estep – Not a whole lot to report on at this time other than the budget, the budget, the budget. We continue to work on the budget and we're trying to do our best. Through attrition to reduce it as much as possible. We have reduced about six positions through attrition and we're going to continue to do so, so that the last thing we want to do is see anybody lose their job. Another big elephant in the room is the health care. So, the health care, there was a meeting this morning, I wasn't able to attend, I called Peggy and she said it was somewhat productive and they're going to continue to work on that.

On something more positive, I'd like to invite anybody and everybody to the gathering for needy kids next Thursday at Crosley's from 7:00 until 11:00. The admission is \$20.00 for all year. Domestic beer and food all night, but we ask that you bring a new unwrapped toy for a needy child at Christmas and all the toys will be picked up and taken to St. Clement for St. Vincent de Paul.

AUDITOR, Mrs. Brickweg – The Auditor's office provided Council and the Administration with November's Expense and Revenue spreadsheets and Cash Fund Report. Year to date the Village's expenses are \$11,911,029.37 and the revenues are \$10,803,555.84. Year to date the Village has spent \$1,107,473.53 more than it has brought in.

The Auditor's office has prepared Ordinance 29, 2017 for tonight's meeting. This Ordinance authorizes additional appropriations to:

01-2-K-2 Miscellaneous \$100,000.00 (\$400,000)

01-2-O-2 Service Dept. Employee \$35,000.00

05-MP-9 Streets and Sewers \$61,811.45

The additional appropriation to the miscellaneous line item is for any emergency or underfunded line item that may be needed to close out the year. These will only be used if necessary. This is something we do every year. I will provide the Finance Chair a copy of any Purchase Order if we use this line item. The Service Dept. Employee additional appropriation is needed to make the final payroll this year.

As I stated earlier this week in an e-mail to Council and as I have stated over the past few years, this line item is always underfunded. I suggest the budget have \$900,000 in 2-O-2 to prevent this from happening next year. The Streets and Sewers is for money the Village received from Cincinnati Water Works for the Moeller Avenue project.

This Ordinance moves \$2000.00 from 2-I-9, Legal Professional Services to 2-I-10, Codified Ordinances, this is also a line item that runs low each year and has been corrected in the 2018 budget. It also moves \$1,000 from 2-L-6, Poly Graph Tests and \$350.00 from 2-L-8, Psychological Tests to 2-L-10 Promotional Tests in the Civil Service Department. This is due to promotional tests for Fire Lieutenant, Police Lieutenant and Police Chief this year.

For the health care, we have been meeting, one representative from each department strategizing on different ideas. There will be a health care meeting on Tuesday, this Tuesday, the 12th at 4:00 and I encourage all the employees and spouses to come. We're going to review suggested changes to the plan, suggested increases, decreases and the amount of money that it will save and we'll also go over the usage and a benchmark and things like that. So, all the information will be provided by Sarah Niemeyer on Tuesday at 4:00 in Council Chambers.

DIRECTOR OF LAW, Mr. Peck – The only thing I have on tonight is Ordinance No. 34 which was requested by Council to change section 121.10 regarding COW. What it does, and I believe that was discussed at the COW last time, it can make the President of Council responsible for basically running the COW instead of the President Pro Tem. The other changes to make it switch it back to that the Clerk of Council shall be present and responsible for the minutes. I believe that's all I have. Council wishes passage of Ordinance No. 34.

TREASURER, Mr. Ungruhe – This evening I pulled out the inventory detail report for Fifth Third Securities. We have our total down there currently \$650,000.00. Star Ohio Accounts, we have a balance with the state \$1,802,940.10. And then with our First State Bank account a balance at the end of November \$5,640.01. And I also will start to include the Star rates because Mr. Tobergte asked me about that, so I decided to go and fill it out on there so everyone can see what it is and I won't miss read it again.

SAFETY DIRECTOR, Mr. Stuchell – I have the St. Bernard Fire Department report for the month of November. Starting with the EMS information; a total of 89 EMS details with 44 patients transported, mutual aid given was 4 times to Norwood, 2 to Elmwood, 1 for Springfield Township with no mutual aid received for EMS runs, details of interest, 7 auto accidents, 5 unconscious patients, 3 non-breathing patients and 1 psychiatric emergency. There were a total of 47 fire details for the month of November with mutual aid given 1 to Cincinnati and 1 to Norwood. Mutual aid was received 1 from Cincinnati, 1 from Norwood, 1 from Elmwood, 1 from Wyoming, 1 from Springfield Twp. and 1 from Evendale. Details of interest were 2 building fires, 1 trash or dumpster fire and 2 open burn warnings.

Just so you all know tonight we were going to honor Police Chief Steve Moeller. It was his wish to not have a formal recognition or reception for his retirement. He desires to move on to the next chapter of his life quietly and I want to honor that request. So again, I wish to thank him for his 32 years of service to the Village.

Also, with the holidays we run the risk of increased thefts from homes with packages being left on porches. The St. Bernard Police Department is now accepting the delivery of resident's packages to be delivered to the PD from now through Christmas Eve. The packages should be addressed to 4200 Vine St. The Police Department will accept them. To pick up the packages you must have proper ID to claim them, which again can be done now through Christmas Eve.

SERVICE DIRECTOR, Mr. Paul – All the railroad buildings have been identified and will soon be either torn down or repaired. An excerpt from my email reads as follows: "It's good to note for Tom at St. Bernard, that the bridge beautification would be handled locally. If you could reply all with that process info it would be much appreciated". When I get that information I'll pass it some more on so it looks like everything will be handled.

We are trying to get the leafer full time but as you know other things come up and we need to address those things as well. Thank you for your patience.

To my community, tried and true. Many times in our lives we come to "you never know until you try". this is true. Take for example, Grandma's Thanksgiving Dressing. Now we are unsure when she started trying but one thing is true, there's never any leftovers. Unlike the Aunt, who brings her original dish and the only tablespoon out of it, is on her very own plate when you do the dishes. Yummy! Apply this to your life's lessons. If it is something that you've tried and it rings true, serve it up. If it happens to sit on the table after all is said and done, give it up. Either way, you will be remembered.

TAX COMMISSIONER, Mr. Moore – Just a couple of three things. I should have the November figures in you guys mail boxes probably in the next three or four days. I do have two Ordinances for your consideration tonight, we talked about them in COW. The first is the refund, the appropriation for the refund, the large refund that is in process. That's Ordinance No. 30. And then Ordinance No. 35, in which we joined the law suit protesting centralized collection by the State of Ohio. And I think in COW meeting someone asked me how many municipalities joined that law suit and I said fifteen. I misspoke, it's one hundred and fifteen. So, it's well over a hundred municipalities throughout the State that joined in that law suit. I'm hoping that we can be one of them.

REPORTS OF STANDING COMMITTEES

FINANCE, Mr. Tobergte – Last Thursday the Finance Committee, Council members and members of the Administration met to work on next years' budget. Rick is projecting \$10,200,000.00 in tax revenues. Peggy is projecting \$2,100,000.00 in revenues from the Auditors Office. We are also estimating \$80,000.00 in TIF revenues that we are required to give to the school district. We went thru the line items for the budget where we were able to make some cuts, but found several line items that needed additional funding. At the end of the night we were still \$18,888.21 over revenues. Since last Thursday Peggy met with our insurance company along with some of the employee reps. Our insurance cost has risen. We met again tonight to discuss the additional cost of the insurance. Peggy sent an email out today announcing a Health Care Committee meeting next Tuesday, December 12th at 4:00pm in Council Chambers. The next Finance Committee meeting will be held next Wednesday December 13 at 7:30. I'll bring cupcakes because it's my birthday. Lastly thanks to all who helped out at the Christmas celebration last Saturday.

SAFETY, Mr. Culbertson – The next Block Watch meeting is scheduled for Tuesday, December 19 at 6:30pm at the Safety Center. I would like to congratulate Mr. Goeke on his promotion to Lieutenant and like Donny just said, I'd like to thank everybody involved with the holiday celebration this past Saturday. It was a wonderful time, well attended and people seemed to be pretty pleased and happy with it. Thanks to everybody who pitched in on that.

SERVICE, Mr. Asbach – I have the Service Department report for November, 2017. There were 7 trucks placed at residences, 16 dumpsters placed at residences, 127 special pick-ups at residences, 183.18 tons of garbage taken to the landfill. On the recycling side, there were 32.85 tons of recycling material.

PUBLIC IMPROVEMENTS, Ms. Hausfeld – Just to let the public know, there is a CIC meeting on December 19 at 5:30 downstairs. At this meeting they will be looking for people that are interested in serving on the Board. There's at least 1 opening possibly more.

Also, the St. Bernard/Ludlow Grove Historical Society wanted me to let people know, Monday, December 18, 2017 at 7:00pm, there's Christmas memories from good old St. Bernard. Remembering the heritage. Audience participation, they want you to bring pictures of any kind of Christmas items over the years that you've, that have been done here in St. Bernard. Again, that is at 7:00pm downstairs in the Centennial Hall. Also, future programs, Monday, January 15 they're having Greater Cincinnati Chili history at 7:00pm. Presenter Barb Jennings and Cincinnati Museum Center Heritage Program will do this as well. And I was just told before this meeting that they will not be serving chili, they're talking about chili.

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

BUSINESS AND INDUSTRY, Mr. Kalb – I would like to thank Chief Moeller for all his years of service to the Village and wish him happy retirement. And I also want to thank the PAC for all their hard work with the Christmas lights and getting all the donations for the St. Clement Food Pantry.

MARKETING, Mr. Chastain – Dial-A-Ride served 1,122 riders in November for the year they are over 12,000 now so they're doing well.

The External Marketing Committee met, I think Marge Niesen is going to talk about a few things, I don't want to steal her thunder but they are all working on a real presentation and hoping to dovetail with CIC who has potentially beginning to release some properties for active sale and then they use realtors in that process and they'd like to get that timing to where they have that realtor presentation in concert with that.

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

Committee of the Whole

Nov 16, 2017

1. Council approved the minutes of the Nov 2nd Council meeting.
2. Mayor, John Estep

a. Introduced Mr. Peter Nicholas, the owner of “The Giant Food Truck”, who told Council what his plans were with the food truck on the corner of Ross and Vine Street. He said that he approached Mr. Myers after seeing him on Channel 9 news talking about St. Bernard. Members of the audience talked about the possibility of other businesses coming here if he does well. They also asked about his contract with the Village and the electric hookup, whether it was inspected or not and the lease of the space. There were questions of the use of the old Long John Silver building, and for now it would be just for restroom use. He also said that he would possibly buy the lot and building. Another resident said he had no problem with the truck, but the transparency of the lease and the procedure needed to happen.

b. Said that he had met with members of the PAC on the after school program. He might look at the old police station for them to use.

c. Said he met with the owner of Skyline and they talked about the lot at the corner of Ross and Vine. The Village paid \$225,000 for the property and Skyline offered \$65,000 to purchase the lot.

3. Auditor, Peggy Brickweg (report read by Mr. Tobergte)

a. Asked for an Ordinance for additional appropriations and to move money. The Village hasn't received the December payment on the Bond Debt Principle or Interest and money might be needed for them. The move of money for the Civil Service line items are needed because of the promotional tests in the fire and police departments. Council voted 7-0 to place the ordinance on the table.

4. Law Director, Mike Peck

a. Was absent but gave Council a copy of the Ordinance that would have the President of Council and the Clerk of Council preside over both the Council and COW meetings, with the Clerk doing a summary of the COW as is currently being done. Council voted 7-0 to place it on the table.

5. Safety Director, Jonathan Stuchell

a. Council had already approved the Ordinance, by a 7-0 vote, for the Memorandum of Understanding for the fire department at the last COW meeting. That Ordinance will be on the table at the next Council meeting.

b. Reported that he will honor Chief Steve Moeller at the next Council meeting for his years as Chief of Police. A small break will be taken after the presentation for everyone to congratulate him on his retirement.

6. Service Director, Tom Paul

a. Thanked Chief Steve Moeller for donating the Christmas tree this year. It was a group effort between the Service and Fire departments cutting and allowing it to fall gently to prevent damage. Job well done by all.

b. Said that Jennifer Vatter needed an answer on how to use the grant money. He suggested the best chance of receiving the grant would be for the Ross Park upgrades and or the street repairs. It was decided that we would go with the Ross Park upgrades.

c. Reported that next week's trash pickup will be Monday and Tuesday normal routes. Wednesday will be recycling only for the whole Village. There will be no

trash pickup Thursday or Friday, due to the Thanksgiving Holiday. City Hall and the Service Department will be off on Thursday and Friday.

d. Asked that you please join Santa, Mrs. Claus and the Mayor as they light the Village Christmas Tree on Saturday Dec. 2nd at 6:00 pm in front of City Hall. Additional information will follow next week. Please plan on joining us for an evening of fun.

7. Tax Commissioner/Administrator, Rick Moore

a. Discussed a need for an Ordinance for a refund of \$240,000 for a business in town. He is trying to see if other arrangements can be made. Council voted 7-0 to place on the table.

b. Discussed HB 49, which deals with centralized tax collection, and whether we wanted to join the class action lawsuit against the Bill. Council voted 7-0 to join and place an Ordinance on the table.

c. Said that they had a replacement for Sharon McCullough as the tax clerk, but after it was said that the person would start as a first year employee instead of what Ms. McCullough was making he wasn't sure that the person would be okay with that.

d. Gave Council the October reports.

8. Treasurer, John Ungruhe

a. Reported that the balance in the First State Bank 4th of July Fund is \$5,639.54.

9. Finance, Don Tobergte

a. Thanked everyone that took the time to run for elected office this year. He congratulated the winners and hopefully everyone will stay involved. He also thanked the residents that voted.

b. Said that at his Town Hall meeting the main topic, besides the food truck, was the HIP inspector. Most of the residents were concerned that Paul and Bob would not be able to keep up with the inspections. The program seemed to work best when we had a part-time inspector that only did HIP inspections.

c. Said that he, John and Tom will meet on Monday at 4:30 to work on the 2018 budget.

d. Said that he had a couple of requests to put the COW agenda and any Ordinances on the Village website. That will be discussed at the COW meeting. Mr. Asbach said that with the exception of this week the agenda is scanned to the City Clerk and he thought they were on the website. Mr. Asbach will check into this.

e. Extended an invitation to both political parties along with Kelly to join together for an inauguration dinner on Jan. 1st. He already rented the upper level of the Munciple Building. Hopefully everyone can get together and share a meal.

10. Safety, Ray Culbertson

a. Said the next Block Watch meeting will be Tuesday Nov. 21st at 6:30 at the Safety Center.

b. Asked the Safety Director to honor Chief Moeller at the next meeting.

11. Public Improvements, Patty Hausfeld

a. Said that the COW and Ordinances should be on the website.

b. Said that she had received complaints about the Rose Hill property and that they need to be addressed.

c. Said that Ms. Niesen asked her to announce the Historical Society program for November is “Car 54” Where are you about the police department on Monday Nov. 20th at 7 pm in the lower level of City Hall. The Dec. program will be on Monday Dec. 17th, same time and place.

12. Marketing, Kelly Chastain

a. Talked about the PAC using the old police station. He said that when they were given the old library space they raised \$12,000 dollars and with the \$9,500 from Duke Energy and other funds they have raised about \$20,000. He felt that if the old police station was used for a municipal purpose it would save the Village from paying taxes on the property.

13. A resident said that we should honor Chief Moeller for his service to St. Bernard. Another resident said that she thought the COW agenda and Ordinances are not on the website. She also asked why all of the Ordinances are passed by emergency. Another resident asked if the Charter Commission was still meeting and was told it was suspended for now. He also asked about the \$240,000 refund and if that would bring the Village to be short by \$840,000 and was told yes. He also asked if Council or the Commission would vote on term limits. He asked that that be looked into. A resident also asked if the property at Ross and Vine was being transferred to the CIC and was told that the Ordinance was not put on the table. She wanted to make sure that public would be made aware before this would happen. It was said that it would have to come up at another COW meeting.

Respectfully submitted,

Steve Asbach

President of Council, Pro-Tem

COMMUNICATIONS

Members of Council

Re: Transparency, Accessibility, Accountability of Council Activities

Dear Members of Council:

The undersigned residents of St. Bernard would like to note the following obstacles to transparency, accessibility, and accountability of the St. Bernard Village Council:

1. Agendas for Council meetings and Committee of the Whole meetings are not published in advance or at all, so residents can't know whether issues relevant to them will be discussed. This lack of information discourages residents from attending meetings and addressing Council on important topics.
2. Ordinances to be considered by Council are not published in advance of Council meetings. Residents do not have any time – let alone adequate time- to review ordinances and prepare remarks or objections. In addition, ordinance text is not read aloud before voting commences, and Council does

not provide an adequate number of paper copies of ordinances prior to meetings.

3. All ordinances and resolutions are being passed as emergency measures, and therefore they take effect immediately after the vote. Emergency measures are deemed those 'necessary for the immediate preservation of the public peace, health, and safety.' Some of the measures Council has adopted as emergency measures include:

- Resolution 1, 2017, authorizing the use of Village funds to purchase refreshments for Village employees.
- Ordinance 13, 2017, amending the list of Council standing committees.
- Ordinance 25, 2017, changing Council's official minutes from written to audio.

None of these ordinances were 'necessary for the immediate preservation of the public peace, health, and safety.' In fact, very few ordinances passed in the last year or in 2016 have been true emergencies.

By passing ordinances as emergency measures, Council is circumventing citizens' ability to petition for a referendum on an ordinance as allowed under Ohio Revised Code 731.29. Currently there is no procedure allowing for citizen repeal of an ordinance.

4. Official public records for the Village are not sufficiently accessible, and are especially inaccessible to those who are deaf, hard of hearing or blind. Note that Ohio Revised Code 149.43 (section B1) requires that official minutes be accessible to anyone – not just residents of the Village.

In short, Village Council's procedures for considering and approving ordinances effectively prevent residents from providing input into ordinances or putting them to referendum after they've been passed.

To improve the accessibility and transparency of Council proceedings and to encourage community engagement, we would like to request the following changes to Village Council procedures.

1. Publish agendas for all meetings in advance. Agendas for all Council and Committee of the Whole meetings should be published on the Village websites a week ahead of each meeting, but certainly no less than 48 hours in advance. The agendas should contain enough information for residents to determine whether a topic of interest to them will be discussed, residents should also have time to prepare remarks.
2. Publish proposed ordinance text in advance. The text of ordinances to be voted on in Council meetings should be published on the Village website one week ahead of the vote, but certainly no less than 48 hours in advance. Ideally, a brief, plain-English explanation of the ordinance should precede the formal text.

Draft ordinance text should be published on the Village website no less than 48 hours in advance of a Committee of the Whole meeting. To prevent misunderstanding, the draft ordinances should be clearly marked DRAFT. This would allow residents to comment on ordinances before they are finalized for vote.

Ordinance text published ahead of discussion or vote should appear in a format that allows for copying and pasting, and that can be read by screenreading utilities. Text-based PDFs (rather than image-based PDFs) would work, although HTML is ideal.

3. Read the full ordinance text and/or a brief but complete plain-English summary of each ordinance before requesting public comment. Residents

should be given an opportunity to hear what an ordinance will do and to offer concerns and objections before the vote.

4. Pass ordinances as emergency measures only in the case of true emergency. We understand that some matters, such as urgent budget appropriations, need to be passed as emergency measures. That said, ordinances that are not true emergencies should not be passed as emergency measures that take effect immediately.

Passing ordinances as emergency measures denies citizens of St. Bernard the right of referendum guaranteed to them under ORC 731.29.

If Council needs to meet weekly in order to pass ordinances in a timely manner, then Council should meet weekly.

5. Publish minutes and ordinances promptly. Official written Council minutes (complete with all supporting documentation), the digital audio recording of each meeting, and the text of passed ordinances should be published on the Village website within two business days after each meeting.

Passed ordinances should be published in two formats:

- a. An image of the signed ordinance
 - b. A format (such as text-based PDF) that can be searched by any viewer and accessed by screenreading utilities.
6. On the Village Facebook page, publish in a timely manner
 - a. Upcoming Council, Committee of the Whole, committee, town hall, CIC, School Board, and Block Watch meetings
 - b. Links to all forms of official minutes, resolutions, and ordinances
 - c. Special community announcements, events, and updates

We request that you enact these changes within 90 days.

Sincerely,

Sarah Helton, Shelly Hoffmen, Susan Israel, Eugene Hoffman, Nicole R. Klungle, Michael Sean Pratt, Amanda D. Nieson, Erin E. Shick, Billie Mays, Theta Tarter, Christine C. Steele, Kathryn M. Schindler, Thomas M. Rolfson

Members of Council

Re: Handshake Deal for the Giant Food Truck

Dear Members of Council

On November 2, Mayor Estep announced that he and Paul Myers (Building, Development, and Planning Director) had together made arrangements for Giant Food Truck, which is owned by Samuel Peter Nickolas, to rent the old Long John Silver's building and parking lot. At that time, no elected or appointed officials expressed concerns about this arrangement.

It is our understanding that Ohio Revised Code 721.03 requires the Village to advertise property available for lease at least once a week for five weeks; Council must also approve rental contracts by a two-thirds vote.

These procedures were not followed, instead, a rudimentary rental contract was drafted; no contract was executed (and, to the best of our knowledge, no rent or deposit was collected) before Mr. Nickolas parked the Giant Food Truck on Village property, established utilities in his name, obtained access to the interior of the building, and opened for business.

A person by the name of Samuel Nickolas was arrested three times between 2002 and 2009 for making false statements (including impersonating an airline pilot, an FBI agent and a doctor). Both the Samuel Nickolas who was arrested and the Samuel Peter Nickolas who owns Giant Food Truck appear to have addresses on the same street in Harrison, Ohio.

We as private citizens do not have the means to determine whether they are the same person and we certainly make no accusations of wrongdoing against Mr. Nickolas.

However, we would like to know that Council, the Law Director, the Planning Director, and the Mayor are carefully evaluating business partnerships before formalizing them- and we would like to know that all parties are operating in accordance with the law. With that in mind:

- What are Council's plans for working with Mr. Nickolas and Giant Food Truck in the future?
- What due-diligence framework will Council and the administration use, going forward, to ensure that all business partnerships are thoroughly vetted? (Vetting could include, but not necessarily be limited to, background checks and verification of licenses, permits, inspections, and insurance.)
- What consequences does the administration face as a result of entering into this handshake deal in violation of ORC and the public trust?
- Are there currently any elected officials or Village employees who would normally be expected to know of ORC requirements for leasing Village property and to inform Council and the Mayor of them immediately upon hearing of the arrangements with Giant Food Truck?

We hope these questions will be answered in this meeting of Council, but we request answers no later than the December 21, 2017, Committee of the Whole meeting.

Sincerely,

Sarah Helton, Shelly Hoffman, Susan Israel, Amanda D. Nielsen, Eugene Hoffman, Erin E. Shick, Nicole R. Klungle, Billie Mays, Michael Sean Pratt, Theta Tarter, Christine C. Steele, Kathryn Schindler, Thomas M. Rolfsen

Members of Council

Re: Ordinance 25, 2017

Dear Members of Council:

We would like to express concern over Ordinance 25, 2017, which Council passed unanimously on November 2. Ordinance 25 establishes an audio recording as the official Council minutes and explains how to get copies of these minutes.

Our main concern with the ordinance is accessibility of the minutes. The official audio minutes are inaccessible to those who:

- Are deaf or hard of hearing
- Can't visit Village Hall during business hours because of their employment or childcare schedule (or because they don't live nearby)
- Can't visit Village Hall because of mobility issues
- Can't afford recording media
- Don't have the equipment with which to access a digital audio recording on hard media

In addition:

- Audio recordings are not simple or convenient to review. Their content cannot be easily copied and pasted, relayed to others, or linked.
- Audio recordings cannot be quickly scanned to find relevant material.
- Anyone who wants a copy of the official minutes must visit Village Hall in person once for every meeting. If the Clerk of Public Records happens to be away from their desk, the minutes are completely inaccessible.
- The minutes are not made available in a timely manner – they should be available within two business days, not after a full week.

- The ordinance requires a written request for minutes. This is illegal under Ohio's Sunshine Laws and the Village Charter (Section V).
- The ordinance is unclear about the types of media that the Village accepts for recorded minutes.

The whole point of Ohio's Sunshine Law requirement for accurate, complete minutes is to increase the transparency of local government and engage the citizenry in Council activities. Moving to audio minutes directly contradicts the spirit of the Sunshine Laws.

We would also like to call the Council's attention to the fact that the written minutes for Council meetings for 2017 as published on the St. Bernard Village website to date are transcribed from the same audio recordings that are now designated the official minutes of the Village.

In these minutes, which cover January to October, there are 152 instances in which Clerk of Council notes the recording was inaudible.

- October 5, 2017: 12 instances of "inaudible."
- September 7, 2017: 32 instances of "inaudible."
- August 3, 2017: 6 instances of "inaudible."
- July 20, 2017: 17 instances of "inaudible."
- June 15, 2017: 9 instances of "inaudible."
- May 11, 2017: 4 instances of "inaudible."
- April 20, 2017: 19 instances of "inaudible."
- March 16, 2017: 4 instances of "inaudible."
- February 16, 2017: 7 instances of "inaudible."
- January 19, 2017: 42 instances of "inaudible."

In the unofficial written summary dated November 2 (but which was released in the third week of November), there are 14 instances in which the audio is marked inaudible. In addition, the official audio minutes from the November, 2 Council meeting do not clearly identify speakers.

If the audio recordings that are now Council's official minutes are this unreliable, it's only a matter of time until something required by law is not recorded- assuming this has not already happened.

Although we very much appreciate Council's offer to provide unofficial written summaries of meetings (these summaries are optional – not required – under Ordinance 25), Council has already shown itself unreliable in providing accurate and complete written minutes, so we have no reason to believe the unofficial written summaries will adequately inform the public of Council activities or meet the standards for the type of information required for transparency under the Ohio Sunshine Laws. We also observe that Council has deliberately divorced their written summaries from Sunshine Law requirements.

Although the ICRC video recordings are very useful in making Council meetings more accessible, they can't serve as Council's official minutes because they are not prepared by the Village and because they are inaccessible to the deaf and hard of hearing (not closed captioned).

We request thorough, accurate, and complete official written minutes supplemented by audio that is retained for a period of at least two years. Both written and audio minutes should comply with Ohio's Sunshine Laws and be made available promptly after each meeting on the Village website and in hard copy upon verbal or written request. Links to the minutes should appear on the Village Facebook page.

One final note: at the Committee of the Whole meeting on November 16, 2017, Council did not offer any corrections to the prior meeting's minutes. Did every Council member listen to the full audio recording of the previous meeting to ensure the record was complete and accurate?

Sincerely,

Sarah Helton, Shelly Hoffman, Susan Israel, Amanda D. Nielsen, Eugene Hoffman, Erin E. Shick, Nicole R. Klungle, Billie Mays, Michael Sean Pratt, Theta Tarter, Christine C. Steele, Kathryn Schindler, Thomas M. Rolfsen

Motion by Mr. Kalb, seconded by Mrs. Bedinghaus to receive and file the communication and forward them to the Law Director.

Mr. Tobergte – I'd also like to put them on the agenda for January 18, COW meeting to discuss. I talked to Mike, he said we should definitely do this with the new Council.

Ms. Hausfeld – Well, I will still be present at that meeting but I'll be sitting out there but my two cents worth and everybody here on Council and most probably everybody in the audience knows this anyway. I have always been against the every other week meeting. When John first proposed it there was going to be a trial basis and I know I voted against it. I think that meetings should be held every week. I think you should keep more control over different things like the budget problems and other things that are going on in, you know, with a timely fashion. As far as the ordinances go, yeah you're right, everything is done by emergency anymore because, if not, it takes a month and a half to do three readings just to get anything passed and that is another reason why I, I, have always believed in, you know, as long as I've been involved, as long as my father was involved, we had meetings every week. And I don't see why we had to go to an every two weeks or just twice a month type of thing. And, you know, I know you guys said you guys reneged on canceling the COW meeting for two weeks from now but there was talk about even being away at the last COW meeting and I've always been against that. I think when we have meetings we should have meetings that if the public has something to share with us, they know they can come down to these meetings or get a hold of one of us and let us know what their feelings are. So, I may not be up here on the COW where we discuss this but I'm going to let it be known now that I will be out there and I do believe that you guys should reconsider going to every week meetings. I truly do.

Mr. Peck - I believe we have the COW meeting on the 21st. Is that correct? I wouldn't mind, I'm fine addressing, I think it would be the food truck issue that issue at that meeting. I don't feel a need to, if that's okay?

Mr. Tobergte – One conversation today you said hold off till

Mr. Peck – Yeah, with regard to the other issues. I mean there's a lot in those letters to digest. I would like to look at it. I think it's a good refresher with the new members of Council and Council in general regarding minutes, regarding major Ordinances and I think it would be good to have a presentation that day regarding all these issues for the new Council. So, that's why, at least, regarding the Ordinances, regarding the minutes, I would like to put those on the agenda for the new Council.

Ms. Hausfeld – But in these documents, or statement, there are some timelines there that said that they would like answers back before the end of this year.

Mr. Peck – That was the Food Truck, am I correct?

Mr. Chastain – A lot of the other municipalities and how they dealt with things, they would receive these at a Council, acknowledged him, they would never digest him on their own over while discussed them over on COW and then yeah any if any official response would have been required and then that would come at a later Council meeting and so what will happen at COW would just be a discussion, correct, we're not issuing any official statement?

Mr. Peck – Correct.

Motion to receive and file passed 7-0.

Ms. Hausfeld – I'm sorry, with what Kelly just said, are we going to discuss all three of them at this COW? Because he was just saying that it's just a discretion and if anything officially needed to be done it would be done at a later time.

Mr. Chastain – I think the key point was, like what Mike was saying was, there is an entirely new Council coming in and a lot of those other two letters dealt with specifically with Council procedures. Did I misinterpret it?

Mr. Peck – That's correct.

Mrs. Brickweg – Two of the new people are sitting right here. I, I, I'm going to be honest, I think it's a shame that you would have all of these citizens get together asking these questions and then say we'll deal with you in the middle of January. I'm sorry, you have a meeting in two weeks. They're here, maybe you could ask them if they'll possibly be at that COW meeting because I just think it's a shame that basically I, you know, nobody was thinking about these probably in what, three, four, how many more weeks that is so I, I, I would just ask them if they're going to be here and I don't see why you couldn't discuss this at the COW.

Mr. Culbertson - Mike, didn't you insinuate or indicate that there's a lot to digest and you would like to wait until the middle of January?

Mr. Peck – Well that's my suggestion. Okay? Go with it or not.

Mrs. Brickweg – If you guys don't know ORC and Ohio Sunshine Laws now then I think they really do have an issue then.

Ms. Hausfeld – My personal feelings are that we should discuss it two weeks from now. As far as the two members of Council, like Peggy said they are here tonight. I know when I was newly elected to this position I came to the meeting before I was actually put in the seat just so that I know what's going on. So, I would hope that the two new Council members would do that as well. But if something has to be voted on then it can be voted on after the first of the year. I don't have a problem with that. But I do think that these should be addressed in a timely fashion and I think they should be at least discussed at the next COW and then if you guys want to vote on something after the first of the year, that's up to you guys.

Mr. Culbertson – I believe the next COW is on the 21, 20? And we can feel free to ask them but I do know that one of the two individuals will not be available then. So all this back and forth can kind of be stopped now.

Mr. Asbach – I don't foresee, we can still talk about it, it's no big deal, the one answer was requested within three months, so, whether it's talked about at the COW in two weeks or the COW in a month, that's still within the three months time period to get back to them but if one of them is not going to be here, I'd like to say I don't have a problem discussing it at all but I'll put it all on the agenda.

RESOLUTIONS AND ORDINANCES

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to read tonight's Resolutions and Ordinances by title only. Motion passed 7-0.

ORDINANCE NO. 29, 2017. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND MOVE APPROPRIATIONS AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 29, 2017.

REMARKS

Mr. Tobergte – Just so everybody knows, there were two ordinances no 29 prepared. One was for the miscellaneous of \$100,000.00, that's the one we're voting on now and one was for a miscellaneous of \$400,000.00 and it was suggested if we do the \$400,000.00 one, that would be if we skipped the COW at the end of the year which we are not doing, that's why we're doing miscellaneous at \$100,000.00.

The motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Culbertson to adopt Ordinance No. 29, 2017 as read. Motion passed 7-0.

ORDINANCE NO. 30, 2017. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE AN ADDITIONAL APPROPRIATION AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 30, 2017.

REMARKS

Mrs. Brickweg - I did not include this one in my report and I probably should have. This is for an additional cost refund from a large company. Rick is working on their return right now so we might even be paying off this much but that's what this is for. It's an additional refund.

The motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mr. Kalb to adopt Ordinance No. 30, 2017 as read. Motion passed 7-0.

ORDINANCE NO. 33, 2017. AN ORDINANCE APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF ST. BERNARD, OHIO AND ST. BERNARD, OHIO FIREFIGHTERS IAFF LOCAL 450 AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Culbertson to suspend with the second and third reading of Ordinance No. 33, 2017.

REMARKS

Mr. Kalb - I voted no on this Ordinance probably about six months ago when they first proposed it. I do agree that it is a very good plan and it is filling in the gap that is much needed in the fire department. But again, with our budget being a million dollars over this year and already projecting \$400,000.00 to \$500,000.00 over next year we need to start looking at ways of doing things differently. In the reports that they gave us the plan is not going back a few months now when they gave us these numbers. I don't know exactly what date these were timed out to for the money but the plan has cost the Village \$21,321.00 which is a huge savings over if they were going to be replacing the (inaudible) as it went along. But under a part time program it was going to be \$21,436.00 which is about a hundred dollars more but the hours worked under the actual plan for the full time which was 474 and the hours worked for part time staff was 976. So that would have given the Village increased staffing and or we could have cut back those hours a little bit to save the Village a little bit of money. I do agree that they kind of need this plan in the interim, I'm just saying that we need to negotiate with the (inaudible) over the possibility of implementing this part time program but after tonight's budget meeting seeing us \$400,000.00 in the hole again for next year and having to look at finding lots of cuts to balance the budget I will be voting no on this Ordinance again this evening.

The motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Ms. Hausfeld to adopt Ordinance No. 33, 2017 as read. Motion passed 5-2. Mr. Tobergte and Mr. Kalb voted no.

ORDINANCE NO. 34, 2017. AMENDING THE ST. BERNARD CODIFIED ORDINANCES SECTION 121.10 OF 4, 5, 6, AND 10. THE COMMITTEE OF THE WHOLE SECTION AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Kalb to suspend with the second and third reading of Ordinance No. 34, 2017.

REMARKS

Mr. Asbach – I just want to make sure that the Clerk has the corrected copy. In Section I, excuse me Section 1, letter I number 4, the last line should read the Clerk of Council shall be present and responsible for the minutes.

Mrs. Kathman – Yes, Mr. Asbach, I do. Thank you.

Mrs. Brickweg – I just had a quick question. I'm just assuming it's going to be the same as it's always been. I don't think it's changed but when they say you want to

be on the agenda of the COW you had to do it two days in. But anybody is allowed to come and speak, correct? We're not, okay, just wanted to make sure.

Mr. Asbach – Just to answer, that is for when the group came for the after school program, that would be nice to be on the agenda.

The motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to adopt Ordinance No. 34, 2017 as read. Motion passed 6-0. Mr. Asbach abstained.

ORDINANCE NO. 35, 2017. AN ORDINANCE TO AUTHORIZE THE MAYOR TO JOIN A COALITION OF MUNICIPALITIES RETAINING SPECIAL COUNCIL FOR PURPOSES OF ANNITIATING LITIGATION TO CHALLENGE CONSTITUTIONALITY OF AMENDMENTS TO CHAPTER 718 OF THE OHIO REVISED CODE RELATING TO MUNICIPAL INCOME TAX AND DECLARING AN EMERGENCY.

Motion by Mr. Asbach, seconded by Mr. Kalb to suspend with the second and third reading of Ordinance No. 35, 2017.

REMARKS

Mr. Kalb – If I could just a little bit explain to the residents, from what I understand, obviously a law got passed in the State of Ohio that changes the way taxes are collected which can cost the Village \$35 to \$40,000.00 roughly on the surface with the possibility of more. And then this Ordinance is us entering into a law suit to challenge that law passed by the government for the State to change that and go back to the way it used to be and that would cost would roughly be about a thousand or fifteen hundred and that was going to come out of the professional services line item that already had money in.

Mr. Moore – You are exactly right, Andy. I can't add much more than that except right now it only applies to net profit taxes. So, it only applies to what the businesses would pay on their net profit. They only pay them on a quarterly basis. They can pay their withholding through here, not many do but this law specifically applies to net profit taxes.

Tom Rolfsen, 30 Clay St. - Is there a limit on this fifteen hundred or if it goes to litigation are we obligated to pay more money?

Mr. Moore - (inaudible)

Tom Rolfsen, 30 Clay St. - So we're not going to be obligated if they want to come back and want ten thousand more dollars from everybody?

Mr. Moore – No, I wouldn't think so. We could always opt out.

Marge Niesen, 4705 Chalet – As former Tax Commissioner for 12 years I can tell you this is another nick that the State is making in trying to take over collection of local tax. We fought them tooth and nail from the '90s all the way up to 2000 because the State thinks they should be allowed to collect local taxes and filter it down the way they see fit. And we know very well that anytime anybody touches

the money some of it stays there. And this is another nick into it. As it was when they started collecting the withholding tax to help us out. And how well did they identify even with customers are paying for it you have to do adjustments of even whose money is being paid and whether it's based on literal figures or on something that they dreamed up. You have to wait to the end of the year to even prove it. You can see why we have a problem with finances when the State is trying to tie a knot in us every time they get a chance. And that's since the '90s. We had a task force and we would go up there and then I'd have to work nights here because we had to fight with the legislature and the senate about this because the governor was in favor of it. So, you're doing the right thing. Stay with it. Keep fighting because we're already in financial difficulty. Can you imagine what it would be without what little bit we are getting. So, you're on the right track.

Motion to suspend passed 7-0.

Motion by Mr. Asbach, seconded by Mrs. Bedinghaus to adopt Ordinance No. 35, 2017 as read. Motion passed 7-0.

OLD BUSINESS

Mr. Asbach – just for anyone who is keeping score, just so it's officially into the record, don't know if it needs to be or not but we, Ordinance No. 31 and 32 were overlooked, they weren't brought to the table. They were proposed but they were not brought to the table so I just wanted that officially just to cover.

Mr. Tobergte – Steve talked about Ordinance 31, it's for the Vine St. Business district. I'd like to put that on the agenda for the COW for January.

Mrs. Brickweg – I just thought of something. If you're putting it on the agenda you are going to have to start fresh because that is 2017 date so you'll have to start fresh.

NEW BUSINESS

Ms. Hausfeld – Bear with me because I'm going to speak from my heart and I just learned this and if you guys want to correct me if I'm wrong. The Council had met two or three weeks ago after the election and invited the new Council members and what the meeting was for them to discuss their committees that they were on and who was going to be President Pro Tem, correct? My only feeling is and I heard this through the grape vine so if I'm wrong but I, I, I, talked to a couple of people and they told me this was true. When it came down to President Pro Tem, it came down between Don Tobergte and Cindi Bedinghaus and I was told because nobody to make a decision over one or the other, they flipped a coin or something according to that line. You know I sat up here for many years, give or take ten years over let's say a fourteen year span and I have never flipped a coin for nothing. I stand for what I believe in. I vote the way I believe I should be voting, not necessarily against a party or the other party. I vote for what I believe that the citizens want and for you members of Council that have been up here for, some of you have been up here for a lot longer than I have and maybe to you guys but to flip a coin or do how, or draw straws, whatever you guys did, that to me is just ridiculous. I hope that when it comes to voting on things over the next however many years everybody is up here, I hope it doesn't come down to that because I believe you should take a stand and use your vote for what you believe is right and,

and, and, it would have been a hard decision for me for either one of you guys. but I do believe you have to make a stand and you have go with what you believe is right, not oh I can't make a decision because I don't want to hurt somebody's feelings, I'll flip a coin. That is just, that is not what we're up here for. We are up here to vote for things and do things the way they should be done and I just think it's totally ridiculous to flip a coin in that matter and do it that way. That's my own two cents. I don't know what anybody else feels like but I, I wanted you guys to know and since one of the members one of the new members aren't going to be here on the 21st I figured I would share my feelings tonight versus, you know, sharing it when one of the new members are not here. And you guys know that I speak from my heart. You guys know that I, I, don't mean to step on anybody's toes but I'm sorry I, I, I, personally feel that was ridiculous.

Mr. Tobergte – Patty it is true Cindi and I both wanted the job, I suggested a vote, people didn't want to vote. This is the first time we sat down to discuss it as a Council. In the years past it was always well we're in charge we're going to do whatever we want. So, at least we sat down and discussed it this time, one step, one baby step.

AUDIENCE WISHING TO ADDRESS COUNCIL

Tom Rolfsen, 30 Clay – Can you tell the residents who won the coin toss since you brought it up.

Mr. Tobergte – Cindi Bedinghaus is President ProTem.

Tom Rolfsen, 30 Clay – And the second thing is in the previous meeting she talked about replacing somebody in the Tax Department and then there was a discussion on starting salary. Did that ever get settled or did you hire the person or did they reject it?

Mr. Moore – Yeah Tom, we made an offer, the person rejected it. We then interviewed some other candidates, we made another offer, that person rejected it. We have since made another offer and that person has tentatively accepted it. She is supposed to let me know tomorrow. The reason I didn't mention it tonight was because it was still up in the air.

Mr. Tobergte – Tom, also there is an Ordinance that states the salary. I don't have it with me right now (inaudible). There is an Ordinance

Overlapping chattering.

Mr. Moore - I've got it on my desk, yeah.

Mrs. Brickweg – I was on vacation for that. I have provided that and I don't know where it all got misconstrued but, I'll give them another copy so they have a copy of it. But I would suggest before you interview somebody to know what the salary is in the future, yeah.

Carrie Imhoolah, Leonard Ave. And Laura Moseley, Langley Ave. - We are both St. Bernard residents. So, Laura is going to pass out something. We are here tonight to represent the community after school program that has been briefly mentioned before. We have a lot of good news to report and then we had a couple

of questions. We have just a real simple outline to follow, a couple of questions that we had and any information that we wanted to share because this is moving pretty quickly. Our official name is the St. Bernard Village CAP and of course that's an acronym and it stands for Community Afterschool Program. We have now officially applied to become a 501C3 so that is in process. Very excited. And I wanted to give an update on funding. We are in the process of receiving \$500.00 more from Emanuel and United Church of Christ here in St. Bernard to support our student program. So that actually brings us up to \$10,000.00 to start this program here in St. Bernard and we're just getting started. I do want to share with the citizens of St. Bernard that we have not asked the Village for any money. What we are asking for is space. And currently what we're asking for, what we came to the initial meeting about was the Teen Center space. With this in mind and with that whole conversation from that first meeting we would like to confirm the Teen Center as we had previously requested for Monday, Wednesday and Friday from approximately 2:50 to around 6:00 or 6:30 in the evening. Our program will operate from 3:00 until 6:00pm. We just need a few minutes prior to open the doors and then we want that 30 minute window to make sure all of the kids are off safely especially if there is bad weather. Our official start date is 1/31 and the we will run until June 1. we tried to pick those dates based on 1. the requirements from our large funding for us which is Duke Energy and how the grant money is laid out and then the end date is based on St. Clement and how long they go to school because they actually go a week longer than St. Bernard. We do understand if we borrowed space and that it belongs to the City and that we have a lot of limitations using that space. We will need to be able to bring in some supplies. So for that we are requesting two to three cabinets, tall cabinets that can stand side by side and be locked. We're hoping that maybe the City will allow us to you know go through any type of storage furniture you're not using to see if we can utilize them and you're comfortable with us storing them there, just so it can be locked and safe when you're doing your hall rentals. If you're not comfortable with that or if you don't have that type of cabinetry, we're comfortable with purchasing it. As long as again we can store it there. Keep those items put away and then they won't be disruptive with anything else going on. You won't even know that those items are there when you're doing your rentals. We would like to bring to Council's attention that we also have another goal and our goal is if our program is successful in one year, we would like the Village to consider turning that space into a community center to house other programs. If TFC dance and fitness studio already does this, and is very successful and if you haven't stepped in there, it looks very nice, it's ran seamlessly I think for the most part and there are several different programs for the children and adults. We do understand that there is a concern not being able to utilize the Teen Center space for hall rental. We would ask you to reopen Centennial Hall to see if that is a viable option. I'm not entirely sure about this, you know, I tried to ask around a lot, it seems like a couple years ago Centennial Hall was used for rental space and then with the last Council it was taken out offices were built and I believe they are being utilized but there is a hall rental space that is not rented to the citizens here and could be. I do understand that it's a little bit smaller but it gives the Village an opportunity to still utilize that space which is more appropriate for adults versus the Teen Center which has more of a controlled space with where the rest rooms are located. So, I would just ask you in the following year as you're planning to be thinking about that for consideration and I think the thought of the community center long term is something that will just bring things to St. Bernard in showing our unity for the younger community and our older community being able to do more things housed together to have some type of similar schedule and ponder where we can kind of all come together in a

shared space instead of several different things being, you know, elsewhere. I wasn't going to mention tonight because I wanted a chance to meet Marge that and I heard you had a great Historical Society, I heard you had a lot of interesting stuff and where is it and they said she has to keep it herself. I think that's Do we have room and I mean like if a person wanted to go and look at it and is it somewhere we can okay. So, that's more along the lines of what I'm talking about, like finding a permanent home you know, and bring in all these independent places together and I know it's a long term goal but with anything with a City it takes time so I just want you to have this on the back burner that you're planning in the future because I think there are viable alternatives to still bring in revenue and I just want to think about the Centennial Hall option for the future. This evening I am interested in definitely confirming our space because I very much want to be on the calendar for 2018 and then I would like to have a plan to offer it to our coordinator regarding the cabinetry. If you're comfortable if we look at anything you might have and or if you don't feel like you have anything give us permission to purchase something and keep it there.

Mr. Tobergte – Carrie first set the record straight. Council did not quit renting Centennial Hall. The previous administration had security issues. There was no offices built down there. Everything, Centennial Hall is the way it's always been.

Carrie Emhoolah – So are they renting it out to the public because I got the impression they weren't renting.....

Mr. Tobergte – It's not, the size of the hall is what you're saying. You were talking about offices being built, there's always been offices down there. Centennial Hall is a lot smaller than the Teen Center. So, there's issues there.

Carrie Emhoolah – I did hear about it was so much smaller like 80 versus 140. Okay, that's not where the offices are at?

Mr. Tobergte – The offices are off the hallway. As far as Council has no say, it's up to the Mayor who uses the hall. So, we have no say in that.

Carrie Emhoolah – Okay.

Mr. Culbertson – What's the status, I guess Tommy, for you, we started hall rentals for next year already, correct?

Mr. Paul – Yes.

Mr. Culbertson – What are the times for renting the halls. I'm sure they're rented on Friday nights.

Mr. Paul – The halls are rented at 6 hour increments. So, the hall would be available to a person who rented it at 6:00pm. to midnight.

Mr. Culbertson – With the 6:30, that could be a problem there. The hall is going to have to be cleaned as well for the people renting it.

Mr. Paul – Actually in our, it should be but in our rental agreement the person renting the hall has to accept the hall the way it is.

Mr. Culbertson – I can see right here on paper, it's not going to work.

Laura Moseley – Well if I can just say as far as the CAP program goes we will, we have no intention of leaving that hall in any disarray. They would be coming in after the CAP program is there.

Mr. Culbertson – If they're renting the hall starting at 6:00.

Laura – Well we would have to make that

Overlapping chattering.

Mrs. Brickweg – I think I could help with a few things here. There was issues with Centennial Hall but the main issue was nobody was watching the major doors at the steps. If they could get the committee accountable to do a job and lock doors I think that would solve that issue right there. They just have to pull (inaudible) down and that kind of takes care of that because everybody else locks their offices. So, I think that was the issue, I don't know who but people were forgetting to do that. Secondly, therefore you could use Centennial Hall by just locking some doors I do, I talked to her earlier and we were like playing around and they were like asking about how many people rented the Teen Center and Tommy and I were looking into it but I do want you to know at least that the Teen Center is not renting as much as Municipal Hall needless to say. It brings in between \$7 and \$8,000.00 a year in rental income. So, everybody thought that was going to be a much larger number and that is even before we take out the utilities and pay somebody to come clean it. So, it's not a huge money maker so I do want you to know that in case you would ever feel that they wanted to provide them with the Teen Center. They want the income and you could actually get people to rent Centennial Hall and then that takes care of this issue. And on the file cabinet, I'm not sure. You have to ask I think we've used a lot of them.

Mr. Paul – Yes, there is no file cabinets here. And keep in mind when you store them in a public building that's going to be rented out, we won't be held responsible for them.

Carrie – We understand that. That's why we want to keep this as professional as possible so it can be rented. That's why we want the locks on there so we keep the food and supplies for the children and Peggy help me clarify because I don't have numbers in front of me. I believe that you're roughly speaking and this is a rough ball park. The halls bring in from \$7,800.00 you said and then end up between \$34 and \$36 in expenditures so that hall for the year is only bringing in somewhere between \$34 and \$35 hundred and so you're looking at below the scope, it's a small amount of money.

Mr. Chastain – Tommy do you agree with that \$34, \$3500.00 since this is always on.....

Mr. Paul – Yes. I agree with that. When I, I thought the halls brought in more money also. It's seven grand for that one hall, it's not very much and then if you did deduct it, you're probably looking at probably five maybe thirty five.

Mr. Asbach – I know this is not a Council decision but the simple decision or the simple solution seems like to put you guys downstairs in the Centennial Hall where

there are no rentals, I understand the cabinets would be locked and what have you, you have no conflicts with the other halls, like I say, not our call but it seems like a simple solution to me.

Carrie – That was actually mentioned and we wanted to consider it. We had other things on the table too because we had citizens getting us suggestions both, you know, negative and positive trying to look at our access. The reason that was taken off because I was really for Centennial Hall to have the separate space but because where the rest room is located verses where the open space is and then the halls, there were a couple of things to consider. One, we would be bringing children in while some people were still in their offices and the other part was where the restrooms are located is away and outside and we want to make sure that children have, excuse me, adult have full accountability for children and that we can see them and the restroom proximity is much closer. So, that's why when we were trying to think outside of the box and how can we make this the best possible way for also the City, we started thinking let's open Centennial Hall back up, you know, and or if you want to stay on the same path then at least utilize both anyway if we have the space, we should be using it.

Mr. Culbertson – Under long term plan we're talking about the utilizing Centennial Hall and it was just brought up a few weeks ago about revamping the police department and a member of the organization had somebody who could do work on the boiler, in fact there was a whole discussion about using that space.

Carrie – So, yes, that was actually mentioned because that had been mentioned by more than one person. So, we looked at that, we discussed it and the overall picture is that it's not in the best interest for us because on that type of project that's much more time attentive than we have and we would lose this opportunity for this money. So, we were definitely willing to look at that space if the City wanted us to be able to utilize it and if that in turn helped them, you know, if we were able to turn into a municipal building but the building as it is right now, we're not able to take it and turn it into a productive and safe space in the time that we need and certainly to have the funds to get it up to where it needs to be. But we did look at it.

Mrs. Bedinghaus – Two things, Mike you probably are already thinking through this when they were talking about the file cabinets, we just have to make sure that whatever they have that they are secured enough so they don't get pulled over, especially, not even just by the children down there but anybody else that might rent that hall because we would be held liable. So, there must be a standard of those file cabinets for weight and security. The other thing is when you do talk about the long term plan goal, can you identify a time frame that you're looking at. What does that mean? Because you have in here that it would open back up when, to resume fall in 2018 but when would you want to anticipate that long term plan coming into play?

Carrie – Well the long term plan starts January 31. When we bring children here, we don't plan to get smaller, we plan to get bigger. So, if anything the children might trickle in a little slowly but our hope is that, you know, not only the kids but the parents of St. Bernard will feel comfortable and now they'll have a place to send their kids. You know now it's Monday, Wednesday, Friday that is more than enough for us to tackle. It's enough to ask, you know, the City for the space. It's enough for us to prove ourselves and show us that we can do it. But if we can do it then we want to ask for Monday thru Friday, 3 to 6 eventually. You know, once we

can say that there are other, you know, groups of kids, hopefully younger, that would be ideal for St. Bernard to be able to offer to more kids. Right now the age limit is 4th through 8th grade but the long term starts now. We're not doing this to operate for six months we're doing this to operate indefinitely for as long as we can make this a part of, you know, St. Bernard and run independently but also collaboratively with other departments, individuals. Our hope is really, you know, even by speaking tonight to get some interested people like yourselves maybe. Other people here that want to volunteer. We're going to be seeking far into the community. We want volunteers, we want people to want this. This is a labor of love. This is anything that, you know, we're not making any great, no profit out of this, this is just to really help educate our kids to get our town and Village back on the map. To make people feel they're valued, to give them a place and really to give you all and your feats value as well. So, the next generation that's coming in, they're compassionate, they're concerned, you know, we're trying to get some integrity to our kids, maybe shelter them a little bit and give them some love and guidance and, you know, could it fail, yeah, we hope it doesn't, but we're going to ask the citizens to help us also to get involved, to help us to be successful and hopefully there won't be an end date for this project. Hopefully it will go on for much longer than I'm involved in it.

Mrs. Bedinghaus – I didn't mean to insinuate that I thought it was a short term program. I was just looking at a date perhaps that we could look at that you were thinking of this is when we want it Monday through Friday. That's what I was looking for so we can.....

Carrie – January 31, I believe is a Wednesday or a Friday so that's the date when they want to start and we would end on June 1 and that's actually why I wanted to speak tonight so we could officially get it on the calendar. The only date that I don't have, which I will have by next week is the date in August that we would then start and that date is based on whatever works the best for St. Bernard Elementary and St. Clement. So, it will happen towards the end of August and then we would, you know, just roll out and continue to stay on through December and then the following, you know, year until June and then again ending with St. Clement as they end later than the other school, it would be similar to what it is now and we would be off during the summer months.

Mr. Chastain – Hopefully Marge will speak next after me, this short term was interesting to me. I don't know about this long term plan where right now we have a demand for space and there's a plan to take currently usable space and take it over and do something else with it and you know we got empty space that sits and if I understand correctly, Marge, she was set out of some space when the dance studio went in and I believe she might want to make some comments. I felt Paul Schildmeyer wanted some space and you guys need some space so there's a need for space and we have open space and it's costing us money and now we want to take usable space and I'd really like to hear what Marge has to say.

Laura Moseley – I need to clarify. We're not pushing anybody anywhere. What Carrie tried to make everybody understand is that this is for everybody and it involves everybody. So we want Marge to be part of this room. We want the Girl Scouts and the Boy Scouts, we want a dance for the kids in our community. How many of us that live in this community are always thinking negatively of about our children that are walking around the streets, hanging out in front of the library. They have nothing but time on their hands and we are the people that live in this

community are trying to come up with ways to put an end to this. Because people have positive things to say and by all means we would never push Marge Niesen anywhere. You know, let alone out of her space. She does an important thing and does a huge service to our community. We want it to be shared by everybody. So, we're just trying to add to the line item. We want the rest to be part of it. It's not that way. We hope you understand that.

Mr. Chastain – I'm in absolute agreement with everything you said. I just think there's a better option.

Marge Niesen, Chalet – I just wanted to clarify that first of all the Historical Society has been given the area that was a series of small rooms that used to belong to the Holiday Activities Committee. Our monthly meeting is held in Centennial Hall but it's at 7:00 at night on the third Monday. Occasionally we do have meetings that we arrange with that if the Service secretary or the Mayor's secretary when we face for bulletins and so forth what to (inaudible) on. Actually we would like some of the children from their program to show an interest in history so that we can do something to help broaden their knowledge about the community. So, I think we can work together but, yeah, we do need, we're up to our ears in files and archives that we use to complete the, we are archiving, we have one day as week we assign to that. Nobody gets a dime. Everybody volunteers and the point is that we are 501(inaudible) we also try to raise money whenever we can. We have dues paying members at the present time I guess it's about 80 but we started small too. and the point is that I think there's room in St. Bernard for all of us. We just need to sort it out better. And certainly we could use more space in the Historical Society to get our files to the point where we're not tripping over ourselves. We also come in by appointment anytime. Even on weekends. So, it doesn't matter for our play it doesn't matter. Whatever it is we, both times we've been in the community I don't think we have any animosity, it's just we have to see how we fit into the puzzle.

So, I don't want to waste any more of your time, but if you have a good suggestion on how we can better use space in the community, please let us know because we're for it.

Mrs. Brickweg – I just want to clarify something. I wasn't just making up numbers. Tom and I went over that and I did not say just the utilities, I also said there was custodian fees and things like that that came out of it. So, we did work together and I'm glad you agree we came up with the same numbers. But it also included custodian fees and some other things like that. Not just utilities.

Marge Niesen – We are working on grant writers, that is our next thing.

Ms. Hausfeld – I think you members of Council said it the best. It's not up to us. So, you've heard from some of us, some of us think it's a great idea. I'd like to hear from the Mayor because ultimately it's, from what I understand, it's your decision if you want it or not and if you want, you know, it was the last Mayor's administration that got rid of Centennial Hall. I mean, you now as our Mayor can bring it back if you want and give it to, you know, I kind of wanted to know what your thoughts are on it.

Mayor Estep – I did speak with Laura and Ms. Emlolah a couple of times and we are just in the very initial stages of this. We're trying to find a place that would work for everybody. Am I for helping kids and getting them off the street, been

doing that a long time. Would it be beneficial for our whole city, our whole Village, I think so. I think we have a poor image right now and I'll say this in front of anybody. When you go down Vine St. And you see ten or twenty kids at a library or you won't let people through 5th 3rd it's not our fault. I think as community leaders we need to find a place for these kids to congregate and have a little bit more people way. They ended up fighting out there, throwing book bags, it just looks terrible. And I think if we want to make our community a little bit better we got to find a way to work with these kids whether they go to St. Bernard or St. Clement, Roger Bacon where ever they go. And I commend the ladies for doing this and coming up with this plan. So, am I for it, yeah, I'm for it. I'd like to see Council's, you know, raise your hand if you're for it or against it. I guess, does it matter. I think everybody else up here feels the same way I do. We need to do more for our kids in this community.

Ms. Hausfeld – Like I said, like you said, I don't think it really matters what we think. It's up to you. And if they're looking for a, if they're looking for an agreement or something so that they can put it in writing then they need to contact you or you need to contact them and say okay let's do this and then let's get the ball rolling. I know you said you've been talking to them tentatively but according to the young ladies tonight she's wanting a definite, are we going to do it or not because they need to put it in the calendars or whatever you said.

Carrie – Patty, if you don't mind, I'm going to clarify because I may have spoken incorrectly. This is our third meeting and attending Council. The first meeting was to really get everybody on board because we don't want this to be something that we do and then the Village doesn't support it. Most importantly the citizens because we want the citizens to like it so they help. So, from my understanding everyone here collectively supported us and kind of gave us the universal blessings to move forward and we did. When we had the money and that was our second meeting. This is more just to provide an update and that we now have \$10,000.00 which we're super happy about and that's an official word and just to let you know what our plans are. We know it's (inaudible) based and as the couple weeks continue we do see an option that works better for the Village we are willing to be flexible. But because we do have long term goals in mind I want us to be transparent and let you know we're not looking at this just for the after-school program we're looking at this as the after-school program also becoming a part of a greater entity within our Village, a stronger one that can house several aspects and really pull it together. And my suggestion with the Centennial Hall is just a suggestion but it is something I think noteworthy for you all to research in terms of, you know, if you don't use it, you know, we're using another space to get some revenue back out there to the Village regardless. That is space that can be rented and if not being rented, it should. So, I didn't mean to make anyone think that they had to decide something. Now I feel like it has been decided. We are moving forward. The cabinetry part really is just as timely for us. We need to know if we need to go out and buy something because we know when you're in borrowed space you have to have your stuff put away. I mean you want to rent the space out, you don't want people to know there's a program there so they can come in and put their decorations out, we're willing to have someone some in that the city approved or maybe someone from the city to bolt something in to keep it safe and we're also willing to purchase those, you know, locker cabinets that can lock but we just want that everyone to know that that's the next step. We don't want you guys to go down there and go, why are these three cabinets down here that have locks and nobody

knows what's going on. There's a reason. We're just trying to make sure everything is safe and tidy for everyone.

Ms. Hausfeld – One quick question for Tom. It's been a long time since I've been down there. I know you got the Teen Center but in the back isn't there a back room that isn't used. Do we use that for anything?

Mr. Paul – No there's not a back room. Actually the hall goes to the little rooms you may be thinking about are the fire alarm panels and the incoming electric generator. So, those are not an option. You go out the other door, you're either headed upstairs to the main floor or you're headed into the fitness center.

Mayor Estep – I'd like to go back to JuJu Beans. I have some time that I'm off in the near future. I don't want to give a commitment or an answer tonight. I've learned a little bit in the past whenever I've been in here to walk slowly, have people on board with you and look over your shoulder to make sure there's somebody behind you following you. So, I will meet with the ladies again and we'll come up with a plan and I'll let Council know so we can work any bugs out and go from there.

Mrs. Brickweg – Can I make a suggestion. Probably won't even be over money. I was trying to think I, we are starting to rent the Teen Center but if the Mayor agrees it could open up Centennial Hall okay and then start with renting that out and suggest that over the Teen Center for now and possibly stop renting the Teen Center after the six months. Because we rent them out only for six months at a time. We could also give this group of ladies the calendar and say these are the dates it's rented and you're going to need to be out of there by 6:00. I was just trying to and like suggest, you know, like Centennial Hall instead of the Teen Center. I don't think this is that difficult. But we're making it, once again something really good and making it really difficult. So, I appreciate that you're going to meet with them, those are suggestions but you will have to open up Centennial Hall to do that. But I think that could work if everybody thinks it's a good idea.

Carrie – Laura had a few comments she wanted to share.

Laura – On that I just want to piggyback because I just want to take a few minutes tonight to make you and others aware, if you're not already aware, of the great things that are happening in this community. And mostly it's happening by volunteers. The most recent would be this past Saturday night. What a fine, fantastic night for families in our Village. Celebrating Christmas in so many ways. And kicking the night off with the chorus from St. Clement, pictures with Santa, petting zoo, pony rides, trolley rides to go to see the houses that entered the PAC (Positive Action Committee) light up St. Bernard. And it wasn't about who's house looked the best it came down to what our Village came together and raised over 2,300 non-perishable items to be donated to the St. Clement Food Pantry which is available for our residents that are in need and run by volunteers. I want to thank the entire community for that. Especially Emily Moody and Dianne Smith who helped tirelessly to make sure that food pantry is stacked and run and the food is given to the residents in need. Thank you to the Rec. Dept. Headed by Paul Schildmeyer for a great positive family event. Special shout out to Ed Kallmeyer. I cannot tell the residents of our community what a great, awesome person he is. He is behind the scenes and you don't see what he does. From the leak that was in the

drinking fountain in the main hall that he came to the rescue in the middle of it all so people wouldn't fall in the water to providing us with a blow-up penguin so we could draw attention to the dance and fitness studio. I can't commend him enough. Thank you. While the night was going on we were able to showcase our dance and fitness studio with twenty-six of our TFC dance students volunteering their time the entire night entertaining us under the direction of Jen Rutherford, our head dance teacher and resident that lives here. I mentioned earlier about the PAC the Positive Action Committee. This is a group of women including myself who started out of love for our Village to help bring positive activities for our residents including turning over the old library into a top-notch dance and fitness studio. Recognizing our dedicated teachers, having teacher appreciation week at all of our local schools, organizing a fun run in the Spring, a ladies' night out in the Fall and starting the light up of St. Bernard which you witnessed on Saturday. And out of the CAP we have booked a CAP program that can, which stands for the Community After-School Program that you just heard about. This after-school program is as much needed addition to our family as anything in our Village. Giving our youth a safe place where they can come, have help with their homework, with caring volunteers who will build into them something positive to do with their time. Please consider volunteering for this wonderful program and I happen to have with me a volunteer program sheet. There's nobody who is off limits to this program. We need everybody with your talent and your love. The success of our youth depends on all of us in this room. Anybody and everybody can get involved in something positive in our Village. There is no age limit. We have a group of women from the St. Bernard Women's Club who work hard to raise money to give two, one thousand dollar scholarships out to our graduating seniors. And we have the (inaudible), like my neighbor Ava Gobbie who took it upon herself with the help from her mom and dad to build a free little library with to be installed at Burnet Park for all of us to share in. I encourage every resident to give your time and your talents to promote positivity in our great Village. Our kids need to see, hear and be part of positive happenings we need to, all of us, focus on what is good and if we don't know where to find the good, ask. I personally would love to help you get involved with something or someone that would put you in the right direction. You can always find me at the best darn coffee shop in the Village. Thank you to Mayor Estep for allowing the residents to approach you with ideas, concerns and envisions, that includes myself and sometimes the hard decisions on what's best for our Village as a whole and not as any specific individual. Thank you all Council tonight. Sorry to take so much of your time.

John Metz, Kemper Ave. - First I want to thank Valerie and Patty for your service to the Village and welcome to Robert and Alan in the coming years in their service. Patty in regards to the flip the toss, coin toss for the seat of the President ProTem, that is a long-standing thing in politics. There's actually a Village in Connecticut this year had two Council people tied after the election and they decided to do a coin flip which is part of the Village thing as opposed to a special election to save their Village \$3,000.00. I know it's a little bit more than just who is President Pro Tem to decide who was going to be on Council. I know it sounds absurd, but between cutting cards, flipping coins, it's happened quite a bit and not just in Ohio but in all parts of the United States.

Mrs Brickweg – I'm going to totally disagree with you on that Mr. Metz because, maybe you misunderstood, Council members just had to vote who they wanted their President ProTem to be. They didn't want to make anybody mad or pick anybody so they flipped a coin. I think it's sad when your elected leaders can't even

vote. They could have done a secret ballot if they wanted. But I was up there for eight years and we had no problem voting. I don't think something as important as who is running the Council meetings to be up to a flip of a coin, especially when you have two people. Just simply vote. I personally call it the cowardly was out of not making a decision.

Mr. Chastain – I'll just make a quick comment on that. I had something else I wanted to talk about. It wasn't that we didn't want to vote, it was we had the exact same tenor up here, very qualified candidates and we just kind of a stuck point. Stalemate, so we chose a way out that seemed fair and equitable. I just want to repeat some numbers because some people came in late and I don't know if they clocked in. I think this is important, it's read in the record and people are aware of the situation. Mr. Ungruhe handed us a document that says we have \$2.45 million dollars in reserves right now. We have three big ticket items. We just had \$600,000.00 of the tax double payment left us with a deficit here of \$240,000.00 tax refund, okay, then and now we have to put \$600,000.00 coming up more into a health care expenses. Now that's \$1.44 unless I messed it up. So that's \$1.01 million left in reserves. But that doesn't take in the fact that we were already \$19,000.00 down when you started working on that budget. So, then that puts us below a million dollars left in reserves here very, very soon. Okay, and then there were other things, the Service Department salary, we bumped that line item up, we're in a really, really dangerous situation. I may get shot for what I'm about to talk about. I'd like to get some confirmation of numbers but it's my understanding the CIC that sit on \$123,000.00 in the bank and we gave them a \$1 to \$2 million dollar property that had in composited that generates part of an income every single month. It's a \$15,000.00 net and then after expenses over \$8,000.00 or \$50,000.00 growth, \$8,000.00 a month net. The shopping center. And it's filling up fine. We're going to get some stuff in there. We got another business. That's \$96,000.00 a year. I wish it was coming to us. So, it breaks my heart to see these things going in there and driving income and Dollar General looks but that income doesn't come to us. It doesn't help us solve our problems. So, I would like to consider the standing the CIC is a separate entity and have them as an advisory type of committee and take back those assets. We gave away assets value. We gave away property. We gave away an income, positive property. The shopping center again, that's \$100,000.00 a year because that doesn't include the Bruce Mobil that's coming in. \$123,000.00. Is it possible, Mike, can you tell me legally can we get those properties back? Pick those assets?

Mr. Peck – I can check into it but I'm, I mean, the assets yeah, yes. If you want to take that step. It's a matter of how. But it's going to take some research before...

John Metz, Kemper – You're going on another thing. I think John made the right point. This Council, the new Council is starting to work together and we've not seen that in the past. Regardless of party affiliation or non-affiliation, we need to work together as these young ladies pointed out to make St. Bernard better. That's the first step and I applaud you for that.

Mrs. Brickweg – There are ways to disband it. It's right in Ohio Revised Code. As you go to court you explain and then they can, we can get all the property back. So it's right in Ohio Revised Code and I can help you with that because I even suggested that for many years. Maybe they'll listen. That's a great idea. But I do want to say something else. I'm not sure where you got \$600,000.00 for health

insurance at. What was originally asked was for \$400,000.00 and the employees are trying to come up with the rest so it really wasn't 6.

Mr. Chastain – Bob suggested.....

Mrs. Brickweg – Ok, but that's not what we asked for.

Mr. Chastain – I wasn't trying to throw Peggy an investment big number, it seems wise to do this fix. She asked for 4 it seems better to do 6.

Todd Rymley, 4901 Vine – I'm not a resident of St. Bernard but I own the Skyline Chili franchise in town. Three weeks ago Mr. Estep steps in my restaurant to see if he could set up a meeting with me. I was unavailable, the next day I called him. He said he would call me back and set up a meeting, I've heard nothing. My wife stopped in City Hall and spoke to his secretary a week ago Wednesday, was told he was getting new tires on his car and he would contact us about setting up a meeting. Since then I've talked to Mr. Tobergte and (inaudible) and Mike Simos who have both told me that he is telling them that he has had meetings with me and that the ball is in my court. I do not know what ball or what court and I would like to let you all know that we have been approached by other communities about moving our franchise. I feel like if I was not an existing business already, if I was trying to come into St. Bernard I'd be getting treated a whole lot differently than I am right now. We made a good faith offer to try to purchase the Long John Silver's property. We know it was for quite a bit less than the City paid for it but we were going to have to spend quite a bit of money into it to make it look like a respectable Sky Line Chili franchise. We waited for three weeks and heard nothing until I spoke to Don Tobergte and he came after the Council. Later that day I received an email from the CIC saying that they had refused my offer, that they had planned to use all three of these lots for retail space. At the time, you all were working with a developer at the strip mall who couldn't fill the retail space in the retail shopping center. So, it didn't make a whole lot of sense for me to build, for the City to build more retail space and try to fill it up with tenants that they couldn't, that they were having trouble getting already. I have the emails between myself, the Mayor, the CIC director, I have their responses. The last Council meeting my wife and I watched on the ipad, at the end of the meeting the Mayor said that he had spoken with me and that everything was fine. Well it's not. So, we have to decide what's going to be best for us in the long term. We would like to stay in St. Bernard, the community has been incredible to us, we just have to decide what we're going to do. If we stay it's great, if we leave we're gonna just have to do it. Even if we don't want to. A lot communities in the city would be happy to have a Sky Line Chili franchise. You all don't realize how lucky you are. So, just what do I tell them.

Mr. Stuchell – I wonder if I could talk to you for a minute? Actually, I meant afterwards but I would like to address this. First off the individual that commented on behalf of the CIC, he's not speaking for the CIC. At this point now that individual being our Executive Director does not make the decisions. At this point I can't change anything how this went this far but what I would like to do is actually set a time and meet with you and with myself and some of the Board. Someone else that actually has some real estate experience and potentially work on maybe finding some options that might be workable for you with maybe what we already have. If it's possible I'd like to actually sit down with you. This doesn't

mean sitting down with Paul Myers or anything like that but I'd say with some of the executive committee and look at some options that might be workable for you.

Todd – Well we have to get corporate Sky Line involved with that. The gentleman who was here last week with the giant food truck reputation regardless. He was standing here saying how he could cut a \$50,000.00 check today, \$100,000.00 tomorrow. I can't do that. My wife and I are a small business, we run on a tight margin, if we decide to buy a building or buy a lot we're actually going to have to get financing. We don't have hundreds of thousands of dollars in the bank like the food truck guy said that he had that he could write checks with. So, I'll be straight up and honest with you, this is something that we would have to have financed, we don't have money coming out of every asset.....

Mr. Stuchell – I'm not trying to make a situation (inaudible) explain anything of, I really honestly like to sit down and talk to you about it and so if there is a way that we can make it work.

Todd – Three weeks ago the Mayor said he would call and set up a meeting and he hasn't and then ten days ago my wife went into the city building and try to set up a meeting with the Mayor and they said he called and he hasn't so I mean.....

Mr. Stuchell – so, anyhow, I'm trying to not.....

Todd – I'm not opposed to meeting. So, if you'd like to tell me when and where you would like to meet I'm more than willing. Would you like me to come back in two weeks to figure out when and where.....

Mr. Stuchell – I'd like to meet with you, I'm not trying to make this difficult, I'm trying to tell you I'd like to meet

Todd – Okay, so my question is when would you like to meet?

Mr. Stuchell – You tell me what works for you?.....

Female – I have a question, where exactly are these properties you think you could get?

Mr. Stuchell – Actually, I was looking at a proposal and I don't know if it would even be workable in the corner of actually where Ross corner and where the Gold Star previously was.

Female – At this time we would move to get a drive there. That's what we need. We will lose St. Bernard for a drive thru which is sad because it's been here for four years.

Todd – It seems like that corner where Long John Silver is is prime for something to anchor it and I think that a new Sky Line or a rebuilt restaurant there would be a draw to be able to maybe put a smaller retail development there where you had the other two lots that might be able to draw something. As it sits right now, that whole area sits right now it's just a blight. I know you all know that but I was trying to help myself out and help the community out and I still am trying to do that but it's getting more difficult.

Mr. Stuchell – Would you still like to have a meeting or is that.....

Todd – Yeah, yeah, I asked you when you would like to sit down.

Female – We've been waiting for Mayor Estep to contact us. We've been waiting for three weeks.....

Mr. Stuchell – So anyhow we know that so when would you like to set up a meeting.

Todd – I would have to do it after 4:30.

Mr. Stuchell – I can't do it Monday

Todd - I'm typically (inaudible) I'm typically there in the morning.

Mr. Stuchell – How about this, I'll take a vacation day next week..... How about Thursday, you name the time.

Todd – That's fine. Thursday at, how about 10:00.

Mr. Stuchell – Okay, 10:00.

Todd – Where would you like to meet?

Mr. Stuchell – What works for you? I'll meet you at 10:00 at the restaurant.

Todd – Okay.

Hello, I live on Jackson, I prefer not to tell my address because....my name is Mykala Williams but I go by Manzi. I have a question. You'd rather put a person with all these rumors, are just rumors, half of them are true, into a lot but this man, well he's gone, well and his wife, that are good people that instead, they leave this town. I'm pretty sure we're going to have less jobs, less people, less money. And I know a lot of people that will move out right behind them because they do pay well and they're good people. So, I'd rather you make your camera film and stick with and not be like, oh I want to say woman I want to be there. Mr. Estep, we voted you in for a reason. It's time for you to show it. Sorry to say it like that but, you know, me and you been friends, we been cool but I need to let you know, what you doing to him and his family ain't right. It's about time you stand up and take it back.

Mr. Estep – One of the reasons, Manzi, we purchased that property for \$240,000.00 and he offered us \$65,000.00. But I went with Paul Myers, he said that wasn't a good business deal and I had to agree with him. Paul was going to get back in touch and I had surgery Monday and that's one reason I didn't get back in touch with him. Jonathan is in charge of CIC and Paul answers to him and they're working on it.

Manzi – With all this stuff going around down there and our Village, with everything going around in the area, he did this, he did it, I mean it's more money coming in no matter how you look at it. I mean even if he pays you \$1,000.00 you got to, that store by itself brings in more income than you ever could expect for this

community. That means more jobs, you know, in the future. More things that we can have here as a community, as a Village. And I think this is something you don't want to waste a whole lot of (inaudible) on because by the end you can move out and we done lost all of our residents. We are really going down in numbers. They're selling fast.

Curt Brickweg, Heger Dr. - I'd just like to ask one question, um, what's the plan for the Long John's property? Obviously there's some kind of plan. Anybody?

Mr. Paul – Yeah, I'll take that one. They're going to toss it over to the St. Bernard school for a landing zone so they can have 100 plus employees park there.

Curt Brickweg, Heger Dr. - When did this decision happen?

Mr. Paul – At a meeting yesterday and it was discussed at the second meeting for the new school because they have no place to put anything. I'm looking forward to a lot more meetings because there's going to be street closures, there will be mud everywhere, the pool will probably have to be addressed, they tried to use the park and I said no. I asked them also to look into P&G parking lot down on Railroad. We're basically in for it and it's, if we let them use that property, you're looking at two to three years. I brought up the question, what happens if we need to develop and there's no answer.

Mrs. Brickweg – Okay so did I hear correctly? we're going to tear down the building, somebody's going to tear down the building and we're going to use it as a parking lot for this..... not for the school but for the construction workers.

Mr. Paul – The construction workers but they're tearing down of the building has not been decided because they said it is not in their budget.

Mrs. Brickweg – Okay this is my two cents here, I'm sorry. If you're building up a school I think you should have figured out you're going to need to park the construction workers somewhere even if, not in the middle of our down town and they can bus them in. Just my two cents worth, but to tell a business here that wants to buy a building and it wasn't \$65,000.00 it was \$75,000.00, no because we're going to lose it to a parking lot, I'm sorry, I mean I get their issue, but that's sad.

Curt Brickweg, Heger – I'm still up here. Anyway, also on these numbers I would like to ask since the Mayor quoted a couple of numbers here, \$65,000.00, I'm sorry, what did the city pay for it \$2 what? Okay, \$240,000.00, \$65,000.00. Now let's put that on a ratio, okay thank you, let's put that on a ratio with Imwalle, what the city pay for that, number please?

Mrs. Brickweg – They paid a million and

Overlapping chattering

Curt Brickweg – I believe that was given to someone on a promise that they would develop it so let's do that ratio and give this man a chance. That's all I want to say.

Female - I would just like to say \$75,000.00 was an initial offer. There was no negotiation. Just an email saying sorry about your luck. We're going to keep it,

we're going to try develop it but we can't develop the strip mall. Over the nine years we've been here we've met with probably four developers. We've wasted countless hours trying to move our Sky Line.

Todd – We were offered an out building by this last developer but it tripled our rent so, we probably would have been very upset if we were looking to do that development with this developer but then all of a sudden that was gone. So, I mean, so we've got a meeting set up. We'll get the ball rolling and see what happens. So, our lease runs out eventually so, we have to decide what we're going to do if we're going to stay in the same old spot we've been in forever, for thirty plus years or if we're going to move.

Female – We certainly can't be a homeless Sky Line Chili and people depend on us (inaudible)

Todd - (inaudible) and fill out his truck.

Mrs. Brickweg – I would like to commend Jonathan for stepping up and meeting with them. Thank you very much, that's what we need but it is a city owned property everybody, so it is going, I mean it would be nice if maybe some of you Council members would at least speak to Todd and Lauren and tell them what your thoughts are since it will be your decision.

Ms. Hausfeld – I've always stood by my saying, what's good for the goose should be good for the gander. When you give properties away and then you have viable people that have invested how many year, over ten years here to our community to make a decent place for not only our kids to work, sorry don't have kid, but you know, places for the P&G people to go eat something quick and fast during the day, place for us, the residents, to go anytime of the day and, and, and give other properties away, I'm not even going to mention, yeah I am, I'm not going to mention the bakery and I know some of this was done under the CIC but if you do one for one you should do it for others. And you were ready to give that property to a conniving, arrested person and here you got good upstanding citizens, not citizens of us but good standing businesses of our that are willing to invest in our town and, and, and we just point blank so no thanks or don't get in touch them. That just blows me away. So, that's my two cents and Todd you know my mom and I come down there quite a bit, maybe not a lot anymore but we have in the past and I, I, I don't see If a place is wanting to put, invest in our town, you're willing to give it to a stupid food truck guy and here you are, you're turning away good people. I, I, just don't understand it. Sorry food truck guy I didn't mean to say that.

Nicole Klungle, 551 Church St. - I just want to say that this community (inaudible) and I hope that Council will take the audience participation today and the letters that were read earlier as an opportunity and an invitation. You've got people here who are saying, we really want to hear from Council, we want to work with Council, we want to interact with Council. This is your chance to do something about that.

Tom Rolfsen, 30 Clay – I'm not up here to stick up for the CIC but I think since Jonathan has taken over and we have new members it's moving in the right direction and as for Council taking the property back, you guys haven't done much, you got a police station sitting up there. How much are the taxes on that now?

Mrs. Brickweg – I'll look it up, you continue on.

Tom Rolfsen, 30 Clay – Okay, I don't hear anything up here all year about it just sitting there, okay, so, and then you buy Long John Silver's for \$240,000.00, that's Council, not CIC. I think you guys probably bought the funeral home and turned it over to the CIC and you overpaid and the developer in the shopping center overpaid \$2.5 million and now no developer says it's worth \$150,000.00, okay, so the people up here and the previous overpaid for all this property and so we're trying to work it out and we are making progress on it so I don't think giving it back to you guys up there is going to help the Village at all. The next thing is residents have to pay for hall rentals, you guys last week were trying to cut the budget and stuff. Why do the political parties get to use the building free. Why aren't they required to pay to rent the building. It's not a community thing it's a separate party. I think they should be having to pay the same thing I would have to pay if I wanted the hall. Is it true you don't pay anything, the two political parties?

Mr. Tobergte – When I use the hall for a political event I pay. Like the dinner, Inaugurations Day I pay the hall fee. Town Hall meetings, I do not pay. That's not just for me, it's for the community.

Tom Rolfsen – The two other parties paying or are they just using them for free?

Mr. Tobergte – Free.

Tom Rolfsen – Talk about you're trying to save \$500.00 here \$500.00 there, well there's a good way to save it. Either they pay the rent like I would have to pay to have a meeting or they go somewhere else.

Ms. Hausfeld – Tom, just to reclarify some things, not all of Council paid for some of those buildings that you're talking about. Yes, the majority did but there were a few of us that didn't know on a few of those projects, on a few of those buildings. And, and, and I'd have to get my notes or whatever but I know for a fact I voted no on the Long John Silvers because we were told at that time we were financially strapped and by Peggy and Rick they told us that might be a good time to hold off on buying Long John Silver's so I know I voted no on that per se. The other ones I'd have to look back because my memory is not that good.

Tom Rolfsen – Yeah, I'm not saying everybody up there but I'm saying you guys did spend all this money, the people sitting in front of me okay and the people before you and you overpaid for it and there was reasons why you did it that don't want to come out in the public okay but so don't think that taking back all the CIC property is going to make the Village better okay because you guys have a bad track record. Peggy did you find out the taxes?

Mrs. Brickweg – Actually my network is crashed so I'm trying to get back on but I'm going to look it up and I'll let you know but the top of my head, I know Long John Silver's is around \$12,000.00 a year. I want to say the police is either \$17,000.00 or \$27,000.00, those numbers so I'll, I'm sorry, I will look them up and Patty to also add to that, the other reason I told them not to buy it is because I had passed on to the administration that Sky Line was interested in buying it and I actually told everybody on Council the same thing but nobody believed me.

Tom Rolfsen – Peggy were those figures the new tax rate that now we're paying because it's no longer considered.....

Mrs. Brickweg – On the police, yes they would be the new rates because basically I was trying to get the police station where it was tax exempt. We could have done that if, I'm sorry, but Paul Myers would have followed the correct paper work when he did that but he did not so I have to appeal it to the State. The State has already rejected my first appeal and I'm trying it again and I don't know what my chances are because they're saying we're not using it for a municipal purpose. I have explained that we store things there and that we do have a shooting range but the State doesn't think that's enough to wave the tax. But I will work on those numbers and get them for you.

Tom Rolfsen – So that's like \$29,000.00 being wasted now sitting there?

Mrs. Brickweg – That and it's probably more.

Tom Rolfsen – Minimum, right?

Mr. Chastain – Tom I don't want you to go away thinking I devalue the progress that's been made by CIC. I do value that and that's why I want them to stay in some type sort of property advisory capacity. I'll be just flat out honest, I want the income. We gave away a \$1.2 million property at the time and to have a positive thing and they're sitting there doing very well with the stuff that we gave them and, you know, the CIC is and they also have the money in the bank. We gave them how many hundred thousand in seat money as well. So, I value what's going on, I just want the benefits to be the Village not this separate entity.

Tom Rolfsen – Well I think the income is probably just paying the taxes on the property.

Mr. Chastain – It should be, it's 15 gross, 8 net is I understand and I guess that's just what's been read out loud several times.

Tom Rolfsen – But I'm saying you're sitting on the police station, you're sitting on Long John Silver's and you're talking about you want income, well you got it sitting there doing nothing and the police station has been empty, so

Mr. Chastain – You're preaching to the choir sir, I'm dying to get stuff in the police station. Even tonight I kind of got yelled at because I want stuff in the police station, I want it active and it's over \$20,000.00, I looked it up on Auditor's site. Just for the police station alone. Tom, you want the thing paid, I'm not talking as a question.

Tom Rolfsen – There are costs and everything else up there. That's what happened to the boiler because it wasn't properly winterized so that was damaged because of bad maintenance.

Mr. Chastain – Agreed. You see plans, if people use the space they've got \$10,000.00 maybe they can break a piece off, you know, it just depends on what goes in there. The police are using the fire range maybe the license carrier can use it and be charged a fee. Just I'd like that, yeah. We have all these conversations, but I want the income, I'm sorry.

Tom Rolfsen – The other thing I'd like to invite is anybody to the CIC meeting and it's open and out and is once a month instead of every three months. So, it's in progress and we do value input and let people talk, okay, so come down and get involved in it, you know, it's not the same CIC that it was a year ago. And there's an election coming up so you'd have a chance to get more new members on, okay. So, show up.

Mrs. Brickweg – I'm just curious, you guys read this letter and they asked if you're going to address any of these issues and not one person addressed it. I know it also says you can discuss it at the December 21 meeting but it also says if they could get an answer tonight, is anybody going to address it or are you going to make d them wait two more weeks?

Mr. Peck – I specifically wanted it on the 21st but, you know. I apologize, I asked for it to be on the 21st but if you guys want to discuss it. Fine.

Mr. Kalb – I would, I prefer to do it on the 21st because I want him to look at any policies that might have been broken both internal and external and then obviously it's not, it is Council's job to hold the Administration accountable so to say but in the end we need to follow, we need to figure out, get all the ducks in a row, I guess. Figure out who actually authorized what, I don't know all those answers so I can't answer those questions right now. I've heard that Paul Myers did it and then John might have done this and I saw the little contract but it wasn't signed by anybody so was it ever signed, those are things I can't answer tonight. So, I want that information to be looked at by the Law Director which is why I put it, the memo to him so I could also look into those things. I don't know, besides what's been stated in the letters, if any of that is true or false. I believe a lot of it but

Mrs. Brickweg – Okay, that's all fine but once again I feel like we're always pushing the residents off. We know that the contract was done illegally, we know the food truck was put there illegally and I don't want to be mean but I wish Mr. Myers was here tonight because somebody at least could answer did they make the deal or not. I'm sorry. John could answer oryou're not going to mention it, okay. I didn't know.

Mayor Estep – I'd like to have Paul here on the 21st. I'd like to have him answer those questions.

Mrs. Brickweg – Did you make the deal or did Paul make the deal?

Mayor Estep – There was never a deal made. We didn't sign anything.

Mrs. Brickweg – So the food truck just appeared there?

Mayor Estep – Paul got a call from this guy that he wanted to bring a food truck in. Paul called me and we sat down and listened to this guy that he wanted to bring a food truck in. Paul called me and we sat down with him and listened to his deal, whatever you want to do. \$500.00 a month and we said that sounds good and in the meantime people started getting on the internet finding out how many bad things this guy did in the past. Jonathan did a background check, called me. He said John this guy is bad business. I called the guy and said we got some information, we're

not going to do business with you. Cut ties and move the food truck tonight. And he did. That's the end of the deal.

Mrs. Brickweg – I would just like to make one statement because some women and the people that did put it on Facebook got criticized. I'm going to say this publicly, they saved our butt. Nobody was looking into that, they looked into it, thank God, even though they got ripped but you know what they were smart enough to just I guess it was their gut. I wasn't at the meeting. Their gut told them something wasn't right with that deal. So, I actually think we should tell them thank you for saving us but that's just my opinion.

Tom Rolfsen – One other question, I guess the answer was the political parties don't rent the halls, they get it free, right, so I'm asking Don Tobergte in the Finance meeting to discuss them actually paying it and nobody getting free hall rentals or everybody gets free hall rentals.

Mr. Tobergte - I will note it.

Manzi – I go by Manzi, my name is Mykala but everybody already know that. Quick question, why are we so scared to address the elephant in the room. You made a mistake, they made a mistake, you got to own up to it. They shouldn't have been there and I don't care how long you were there even if it was the night. They did (inaudible) about putting a truck there you should have done the background check. Anybody in business know that. You don't want to mess up yourself or people who see you. Because when they see what you've done in the past. You keep doing stuff like this and you let me go. And you want to wait and wait, put it off, that's not going to help nothing in this community. You got to speak about it, help them get it done because that shouldn't have happened. He should have already been background checked, everything else. He shouldn't have been there. I mean God know what he could have done without us knowing. He could have been selling weed out the back of his truck and we wouldn't have known it. I mean, seriously, you got to look at things like that. That's common business. But we as a community look for people who could hire these kids right now. To look up for to make sure we don't have people like that in our community. But we slipped somewhere. Somewhere we got into, got to where we think it's okay to let this slide. Does the conversation need to wait until a couple more weeks a couple more month, a couple years, keep pushing it off but you know what' going to happen, one of these days somebody is going to come up and let the wrong person in our neighborhood and it's going to hurt us tragically and I don't want that for this community. We got to start sitting and doing right by ourselves and our community and that's all I got to say.

Ms. Hausfeld – Couple of those notes, Manzi I don't know if you were at the last meeting when the food truck guy was here but I voiced my opinion very loudly and very strongly and people hear that I was not for that and I definitely against the people that made it happen. I actually at that particular night said that it's time that we do something about Paul Myers because he has gotten us into a situation more than once and he's going to get us sued or the CIC sued or whoever and the last Finance Committee meeting I made a point to take some salary out of his line item so that maybe, just maybe, he would leave on his own and I was told by several people it wasn't the time or the place to discuss getting rid of Paul Myers or his job per se. Well I made it very loud and clear that night and I'll make it very loud and clear tonight, it's the perfect time to discuss it because we're dealing with a budget

that we have, we have, not John, not Jonathan, we your Council members have control over it. And if we don't make the cuts and if we don't do the things then this same line of thinking is going to continue. He's going to still bring in people that he thinks is good for our city which isn't good for our city. He's going to get us in trouble one of these days these people are going to come back and sue and if you think you're hurting now financially, just wait until one of them win a law suit. So, I don't disagree with you, I've always made it publicly known how I felt about the food truck and I make it publicly know because I speak up and I speak from my heart what I think about the job Paul Myers and his department are doing and where I said tonight to take out the \$30,000.00 out of the HIP program, that's not saying that we can't get somebody in there to do the HIP program but if you got the right people in the right job guess what, they can do the job. And that's what I'm saying. I'm not saying do away with the HIP program because I do believe there's a lot of homes around here that do need the HIP program to help them along some things up. But you need the right people in the job to do the job to get the job done. And if you don't have that in the specific job, they need to go.

Manzi – I understand, I know you work hard against it but I know that there's people who sit up there and who are realizing, he should be fired, I don't care what nobody say. If you have to buy him out of his contract to what not, he deserves to be fired because what he done could cost us. Not just him, not just you not just (inaudible) but you know what it could cost the community. The money, the problems, everything. He's going to keep rolling over if you let him. Because it's going to snowball till the day when he gets somebody and you don't realize nor how to sue somebody and end up having us be broke.

Nicole Klungle – I think a few details got (inaudible) in the section of the food truck. If I understand correctly what the Mayor is saying is that they had a discussion with the food truck owner and realized he was not on the up and up to have or maybe he was, I don't catch that. But they cut ties but in the meantime they should check on the utilities at the Long John Silver's and had keys to the building and permits and inspections and was allowing people to the facilities when there wasn't water and when there was water if I read correctly about his (inaudible) when he was before Council. I don't think it's fair to say that they had an arrangement and then cut ties. The arrangement was in place. If we check it was in business with utilities with his name on the property which he (inaudible) to the building. That's important that we know of that.

Mr. Asbach – The next COW meeting will be Thursday, December 21, at 7:00pm.

Mr. Tobergte – Before we adjourn I would just like to thank you for your service.

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