

**ST. BERNARD CITY COUNCIL MEETING
FEBRUARY 5, 2009**

The regular meeting of the St. Bernard City Council was held Thursday, February 5, 2009 in Council Chambers.

President of Council, Mr. Curtis Walden – Tonight is Scout Night. We would like to welcome the Scouts. The meeting was opened with a prayer followed by the Pledge of Allegiance.

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

A motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to dispense with the reading of the minutes. Motion passed 7-0.

REPORTS OF CITY OFFICIALS

MAYOR, Mr. Burkhardt – Good evening and welcome to Scout Night. I would like to acknowledge our scouts that are participating this evening. Please stand when I call your name. Kevin Anneken, Simon Burkey, Stephen Hale, Tim Hale, Jarred Majancsik, Austin Miller, and Jacob Hackney. The St. Bernard City Council and Administration would like to thank you and the Boy Scouts of America for your involvement in tonight's City Council Meeting. Your participation ensures that leadership skills for the future are fully developed by today's young people. You are to be commended for your interest in community government and I thank you again for your contribution to this evening's council meeting.

I would like to thank Mike Wiedmann and the entire Service Dept. for the ongoing level of dedication during the past weeks with the snow and ice storms. We are lucky to have such dedicated employees that care about their community and its residents.

The City of St. Bernard calendar (which is replacing the Recreation newsletter), the CIC newsletter, the call command notice, and the St. Bernard Block watch Association information will be arriving at residents' homes in the next few days. I would like to recognize the individuals that volunteered to stuff the 2200 envelopes; Paul, Bev and Corie Strotman, Heidi Culbertson, Judy Witzeman, Elaine Boeh, Frank Wylds, Al Kanters, Phil and Karen Stegman, Elaine, Jamie and Zoe Sipe, and my wife, Lynn. I really appreciate all of your help. I would also like to thank Elaine for taking on this project. She has proven to be a considerable asset to City Hall.

The new phone system and computer connections are almost complete. We should be fully upgraded by the end of the month. I know there are going to be a few wrinkles to iron out but I am confident that the upgrades will benefit all departments and increase productivity. Thanks to Walt Moeller for making the transition as smooth as possible.

The Department Heads met on Monday and the meetings continue to be very productive. It is refreshing to see the level of cooperation between departments and that morale is up. Positive employees and work environments encourage productivity and dedication.

We are currently accepting applications for temporary summer employment. Applications will be accepted until March 2nd. We will be hiring pool staff,

(lifeguards, attendants and management) and grass cutters, laborers, and garbage collectors for the Service Department. Please contact Elaine Sipe with any questions.

City Hall will be open next Saturday, February 14th, which happens to be Valentines Day from 10 am to 1 pm. The Recreation staff will be on hand to continue selling pool passes. Beat the lines and the crowd at the pool and buy early. Pass prices remain the same as 2008 with the return of the Grandparent pass. The grandparent pass is limited to 4 grandchildren and each additional grandchild will be an additional \$5.00

AUDITOR, Mr. St. Clair – The January report showing receipts, expenditures and the City’s Fund balances as of January 31 have been distributed to Council and the Administration.

Expenditures for the month of January: \$1,036,000.46

Of the Ordinances before Council tonight we have Ordinance No. 2 which was discussed at the COW. This Ordinance and the attached loan agreement were written by our Bond Council and what it essentially does is issues a letter of credit of up to one million dollars to the St. Bernard Community Improvement Corp. By passing this Ordinance we will be able to repay a previous bond that was issued by the City and save some of the interest that would be charged in that bond.

DIRECTOR OF LAW, Mrs. Kate Bedinghaus – Absent.

TREASURER, Mr. Sipe –

The receipts for the month of January: \$ 644,553.95

The receipts for the year through January: 644,553.95

SAFETY DIRECTOR, Mr. Chatman – Welcome to the Scouts and everyone here who are supporting them.

A couple of announcements, also I too wanted to thank the Service Dept. as well for all their work with the snow and ice and in that light there have been some concern and there are rumors going around town that I wanted to address. There has been over the winter season, two cars that have been stolen as a result of residents warming their cars while they were inside the home getting ready to leave. Although both incidents, the perpetrators and the cars were returned and the perpetrators arrested it is still a practice that I wanted to warn everyone about. There are some opportunistics around here that may be walking by and that is the major element of all crimes, opportunity. So that is something to be wary of and a practice that we really don’t preach. It does have some inherent dangers to it.

Another safety issue, there has been some high profile issues occurring around the United States and a couple here, in fact there was one in Avondale not long ago, where young people were shot inside of a home playing with guns. I just want to caution all parents to begin these conversations as the weather gets warm and our children go out to visit their neighbors. There’s nothing wrong with it and these conversations really are easy to talk with parents and ask them if they have weapons in the house. If they do, where are they kept and who are supervising them when our children are over there playing. And it should be forthright with that information if someone asked you about it when their children are visiting you. In relation to that throughout the month of March, any resident that would like a gun lock can come to the St. Bernard Police Station and receive

a gun lock for free. We won't ask you any questions, it's not a big brother thing to see what weapons are out there. It's just to give you an opportunity and assist you in keeping your home and our children safe. So throughout the month of March I'll have more information about it but you can come to the police station, say you're a resident of St. Bernard and you'll receive a gun lock.

SERVICE DIRECTOR, Mr. Stegman – The Service Dept. is tired. The Service Dept. has done a great job for the last two weeks removing snow and ice. But it comes with a cost in overtime of about \$9,800.00 and 500 tons of salt. We are very low on salt, but Wednesday I found 200 tons at \$134.00 a ton delivered. We are lucky to even find some. Mike Wiedmann and myself called all over and heard the same thing, we are out or we will be out soon. Tonight I'm asking Council to OK the purchase of \$26,400.00 for more salt. I'm holding the purchase of salt on a purchase order and they will be delivering on Monday.

I would like to thank all the residents for being patient and working with us on the removal of snow and ice. We are sorry the snow ends up beside your cars and blocks your driveways but with crowded streets that is all we can do.

The hump on Greenlee and Jackson is gone. The Water Works fixed it Wednesday.

Tonight Ordinance No. 1 is on the table for additional appropriation. I gave a report at the last Council Meeting about this. The insurance money came in last year and the work is being done this year, so I need the money to pay for it.

TAX COMMISSIONER, Mr. Geiser – Tax forms have been sent out already this year and if you are a resident you should have received your Tax form. If you have not, just give us a call and we'll make sure you receive one. We are ahead of schedule, we sent them out earlier this year and we've made a lot of changes. I just want to briefly update some of the people here and those at home who have not seen the changes. I've processed all new forms and made them easier to read. Updated the website with new information so that it's more assessable and more understandable. A couple of major issues that people were not aware of or questions we got from last year is that we do have mandatory filing for every resident who is 18 years or older, you must file a tax return whether you have income or no income. That was a big issue last year, people weren't aware of that. For Seniors we have what's called a short form and I changed it and updated it to make it a little easier to work with and if you have any questions on the back is the information sheet, answer the four questions, sign that, sign the tax return and send it in. Seniors were kind of shocked last year to learn they had to file a tax return. We have an online tax calculation tool, every tax return has a color key attached to it. It explains the new tool that's on line on our web site. It is being used, surprisingly we receive a lot of tax returns through this system so people are using it. To get in you need your Social Security No. plus your PIN number which is printed on your tax return. I'm able to access this system, please give us a call, we may not have your Social Security No. Give us the number, we'll update it and within a day you should be able to access the system. For landlords, now we have mandatory filing so you must file a tax return if you rent property for a unit worth \$300 or more regardless of whether you have a profit or loss you must file a tax

return. Also new this year is businesses. Any tax payer that engages in business must file a tax return regardless whether or not taxes are due.

REPORTS OF STANDING COMMITTEES

Mr. Walden – The Committee reports tonight will be given by our Scouts.

FINANCE, Mr. Zix – Tonight I would like to introduce Kevin Anneken. Kevin lives with his family in the 4th Ward. Kevin attends the 8th grade at St. Clement School where he recently achieved an academic scholarship to Roger Bacon. Kevin placed in the top ten of all students taking the test. His favorite subject is History and he enjoys playing the guitar. He enjoys football and basketball. He likes Scouts. He is representing the Finance Committee tonight and he aspires to business later on in life. I'm very happy to let him represent the Finance Committee. One of his further interests is to make some money. I'm honored and proud to hand over to you from the 4th Ward, Kevin Anneken.

Kevin Anneken – Since we received the January 2009 Auditor's report tonight, I will be meeting with the Finance Committee to get agreement to re-introduce the budget tracking tool that we have used in the past to keep Council and the Administration updated on each department's forecasted spending. This tool will follow spending patterns to allow Council and the Administration to follow progress of each department and see if they are trending on target or trending to overspend. This will give Council and the Administration a closer line by line look at the budget.

SAFETY, Ms. Hausfeld - Tonight, sharing the Safety Committee report, I have Gared Majancsik, and please forgive me if I messed up that last name. Gared lives on Seymour Ave. with his parents, Randy and Barb. He also has a sister Cloe. He attends St. Clement Grade School and I actually found out that he goes to school with my niece, Page. He's in the fifth grade up there. His favorite subject is Math and he also enjoys playing basketball and track for St. Clement. He is a Weeblo Scout and he has a dog by the name of Blackjack which he aspires to be a Veterinarian when he grows up. He will be giving the report for the Police Dept. for December, 2008.

Gared Majancsik – During the month of December officers were involved in 752 calls for service. Of those calls, officers responded to 27 accident reports and took 44 offense reports. Of those offenses, 26 have been cleared. Officers made 70 misdemeanor arrests along with 7 arrests for felonies. Officers responded to 52 parking complaints and issued 14 citations for parking violations. Officers issued 75 traffic citations and 85 warnings.

SERVICE, Mr. Tobergte – The Councilman for the 3rd Ward tonight will be Jacob Hackney. He lives with his mom Trisha and his dad John. He lives on Jefferson Ave. and has three brothers and sisters, Christen, John and Lee. He is in fifth grade at St. Bernard Elementary and his favorite subject is Art. He likes to fish and collect rare coins. He plays soccer and swims. He wants to follow in his father's footsteps as a carpenter.

Jacob Hackney – I would like to thank the Service Department for all their hard work during the recent snowfall. Their hard work showed. The Service Department will be observing President's Day on Monday February

the 16th. For that week the Monday pickup will be on Tuesday and the Tuesday pickup will be on Wednesday.

PUBLIC IMPROVEMENTS, Mr. Meier – Tonight I would like to introduce Austin Miller. Austin is a Weeblo Scout. He enjoys baseball and going to the zoo. Giving the Public Improvements Committee report, Austin Miller. Austin Miller – Last night the Senate voted to include a \$15,000 tax credit in the new stimulus plan, up from the previous figure of \$7,500 in hopes of revitalizing the slumping housing market. The proposal would allow a tax credit of 10% of the value of new or existing residences up to a \$15,000 limit. The bill is still working its way through Congress and is not yet finalized.

As a City, this is an opportunity to attract new residents by re-investing in the housing stock in St. Bernard.

LAWS, CONTRACTS AND CLAIMS, Mr. Peck – I would like to introduce to you Simon Burkey. His Scout rank is Scout at this time. He is eleven years old. His parents are Amy and Chris Burkey. His brothers and sisters are Theresa, Alexander and Gabriella. He is currently in the sixth grade. His favorite subject is History. He aspires to be a professional soccer player when he gets older. His other interests are Star Wars Legos and he likes Pop and Classical music, especially that of U2. I would like to apologize for Simon beforehand. I wrote my report in my own writing so it's a little bit sloppy but we'll make it through. Mr. Burkey will now go ahead and read my report.

Simon Burkey – Several possible Ordinances have been presented to me concerning safety of crowds attending live entertainment performances. I will give these materials to the members of my Committee for consideration so we can draw up an Ordinance before it starts to get warm out.

BUSINESS AND INDUSTRY, Mrs. Brickweg – Representing the Business and Industry Committee and the 2nd Ward tonight is Tim Hale. His parents are Thomas and Teresa Hale. His brothers and sisters are; Phil, Matt, Ben, Maria, Katherine, and Stephen. He is in 12th grade at St. Xavier High School. His favorite subject is Art. What he would like to aspire to be is an Artist. His hobbies are playing the guitar and his Scout Rank is life. The sport he enjoys playing the most is ultimate Frisbee. I give you Tim Hale. Tim Hale – The St. Bernard Vine Street Business Association met last night. The first item discussed was how to obtain an inventory of the buildings located in the Vine Street Business District. Al Kanters provided a list of the buildings and will provide a list of questions for those making the inquiries. The second item discussed was possible events to plan for this summer. A “Dog Days of Summer Festival”, including a classic car show was discussed for possibly the second weekend of August. Everyone agreed that we should use the theme of dogs. The ideas of having a dog walk, vendors, SPCA, etc. were discussed. This will take a lot of hard work to pull off and if anyone is interested in helping out feel free to contact me at pbrickweg@yahoo.com or 242-5183.

HIGHWAYS AND TRANSPORTATION, Mrs. Bedinghaus – Tonight I have with me First Class Scout Steven Hale. He is from Norwood. His parents are Tom and Terri. He has four brothers and two sisters. One of his brothers is sitting right next to him. He is in the seventh grade. He is home

schooled. The sports that he really enjoys playing which is ultimate Frisbee and Ice Hockey and he also likes reading. He will give my report on Highways and Transportation.

Steven Hale – Just a reminder to the citizens that the Ohio Dept. of Transportation (ODOT) will have an open house on Tuesday, February 10 from 4:00 – 7:00 PM in the main level of the Municipal Building. This open house will display the proposed drawings of the expansion of I-75. There will be individuals from ODOT to answer any questions that you might have.

Thanks again to all the Service Dept. employees for their hard work in making sure that the streets were salted and plowed. They have had a very busy, long week and I commend them for everything that they have done for our City. I also would like to thank the Dial-A-Ride workers. They maintained their operation throughout the snow storms, making sure that the citizens could get to the stores, banks, church and other important places. It is through this strong commitment of our City employees that St. Bernard is a great place to live.

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

COMMITTEE OF THE WHOLE January 29, 2009

NEW OR REFERRED ITEMS:

1. Approved the minutes of the January 22nd council meeting.
2. Council voted 7 to 0 to go into Executive Session at the end of the meeting to discuss the purchase of property.
3. Al Kanters, the Executive Director of the CIC, council and the administration discussed various options the City has regarding the 1.5 million dollar bond that was taken out for the purchase of property. The CIC used \$471,296.81 for the purchase of the KFC property, leaving the remaining money available. The City is currently paying \$187.00 a day in interest on this bond and the bond is up for renegotiating of the 4.5% interest rate in September. It was suggested that the City use 1.5 million dollars from the reserves (which includes the remaining money not used yet from the bond) to pay off the bond. Then the City could earmark one million dollars for future purchase of property.

To date the City's reserves are – 6.5 million dollars in securities, earning 3% to 5% interest. The City has loans of 1.5 million for the bond, 1.62 million for the swimming pool and \$540,000.00 for the Fire Department Quint Truck. By paying off the bond the city would still have 2.8 million dollars in reserves.

Al Kanters stated that he is fine with the City paying off the bond as long as there is money earmarked for the future purchase of property. This will allow him to be able to negotiate with developers and possible partners to re-develop property. It was suggested that the City create a line item under the Master Plan section of the budget to place this money. Walt St. Clair, Jamie Sipe and Al Kanters will look into ways to meet everyone's needs and report back to council.

REPORTS OF ADMINISTRATIVE OFFICIALS:

Mayor, Bill Burkhardt: Absent, he was called into work, so Phil read his report.

1. Bill thanked the Service Department for the outstanding job they did with the recent snow and ice storm.

2. Bill requested that the discussion of building homes on the Bertus Street Park property be moved to the February 12th COW.
3. Bill announced that the February 5th council meeting will be Scouts Night.
4. Bill informed everyone that the city calendars should be printed by early next week and ready for envelope stuffing by mid week. He will notify council and the administration when the mailing preparation will take place.

Auditor, Walt St. Clair: Walt informed council of a phone call he received from a new property owner in regards to a \$145.00 lien that was placed on the property he purchased for grass cutting. The new owner was requesting that he not have to pay the money back to the City because when he closed on the property the lien did not appear. Council requested that Walt get additional information regarding the closing before a decision is made.

Law Director, Kate Bedinghaus: no report

Safety Director, Rodney Chatman:

1. Rodney passed out a St. Bernard Blockwatch Association flyer which will be distributed to the residents.
2. Rodney read a police report, which will be read at the next council meeting.
3. Rodney distributed information to council regarding a pedophile who was sentenced to 44 years in jail thanks to the detailed work of the St. Bernard Police Department

Service Director, Phil Stegman:

1. Phil informed council that he is rejecting the first set of bids for the new roof project for the municipal building. He is working on a new set of specs and will re-submit for bids in the next few weeks. He also informed council that the \$50,000.00 that was budgeted last year will not be enough. When the City put a new roof on City Hall in the early 1990's the cost was over \$80,000.00
2. Phil thanked the Service Department for the great job they did with the snow and ice removal. The Service Department had 164 hours of overtime to get the work done.
3. Phil informed council that he will be purchasing the final allotment of salt, which is 90 tons. The City has already used 250 tons of salt. This final allotment should be enough to get through the winter.

Tax Commissioner, Ed Geiser: Ed was absent, so Walt St. Clair read his report.

1. Ed reported that a letter was sent by the Civil Service indicating they are awaiting council's approval of the deputy tax commissioner position before they will proceed. Council discussed if this position needs to be civil service or if it can be an unclassified service position, similar to the HIP Inspector. This would be a position that would be hired and not appointed. Kate Bedinghaus will look into the legalities of adding a new position with the city charter.
2. Since it will be at least a few months till a deputy tax commissioner can be hired, Ed requested an appropriation adjustment of \$7000.00 from the deputy tax commissioner line item to his temporary employee line item. That will allow Ed to have additional help during tax season. Council voted 7-0 in favor of placing this on the table for the next council meeting.

Treasurer, Jamie Sipe: no report

REPORTS OF STANDING COMMITTEES:

Laws, Contracts and & Claims, Mike Peck: no report

Public Improvements, Kevin Meier: Kevin reported the committee met before the COW and that the committee will wait to make any decisions on the how the city should purchase property until after a decision is made regarding paying back the bond money.

Business & Industry, Peggy Brickweg: no report

Safety, Patty Hausfeld: no report

Highways & Transportation, Cindi Bedinghaus: no report

Service, Don Tobergte: Don informed council that there will be a Soap Box Derby May 2nd. He has checked with the schools, churches and the Eagles to make sure this date will work for everyone. The previous derby cost the city \$3000.00 in overtime. If the May derby appears to be a success the City may commit to second soap box derby in the fall.

Finance, Greg Zix: no report

Audience Participation: none

Ordinances and Resolutions for the next council meeting:

1. Ordinance for appropriation adjustment of \$7000.00 from the deputy tax commissioner line item to his temporary employee line item.
2. Ordinance for purchase of property

Next Council Meeting: February 5th 7:30 P.M.

Next C.O.W. Meeting: February 12th 7:30 P.M.

Respectfully submitted,
Peggy Brickweg,
President of Council Pro-Tem

COMMUNICATIONS

Dear Mayor Burkhardt and Members of City Council:

The members of Wilson Memorial Presbyterian Church would like to extend our gratitude to the St. Bernard Fire Department for assistance in installing new smoke detectors and batteries in our Church, as well as inspecting the entire Church for fire prevention.

Acts of service and kindness such as this from the St. Bernard Fire Department often go unnoticed and unappreciated. Wilson Memorial Presbyterian Church certainly notices and appreciates the great service our Fire Department provides to our Church and to our great City, and we hope others join us in extending thanks for everything they do for our protection and well-being.

Sincerely,

Bryan Radtke, Clerk of Session
Wilson Memorial Presbyterian Church

Motion by Mrs. Brickweg, (Tim Hale) seconded by Mrs. Bedinghaus (Steven Hale) to receive and file the communication and give a copy to the Fire Dept. Motion passed 7-0.

RESOLUTIONS AND ORDINANCES

Motion by Mrs. Brickweg, (Tim Hale) seconded by Mrs. Bedinghaus (Steven Hale) to read this evenings' Resolutions and Ordinances by title only. Motion passed 7-0.

SPECIAL RESOLUTION NO. 1, 2009. DECLARING THE OUTDOOR CODE OF ST. BERNARD, DESIGNATING ALL BOY SCOUTS IN THE COMMUNITY HONORARY PARK POLICEMEN; AND ASKING ALL OF THE YOUNG MEN AND YOUNG LADIES OF ST. BERNARD TO HONOR THIS CODE.

Motion by Mrs. Brickweg, (Tim Hale), seconded by Mr. Zix (Kevin Anneken) to suspend with the second and third reading of Special Resolution No. 1, 2009. Motion passed 7-0.

Motion by Mrs. Brickweg, (Tim Hale) seconded by Mrs. Bedinghaus (Steven Hale) to adopt Special Resolution No. 1, 2009 as read. Motion passed 7-0.

Mr. Walden – At this time I would like to thank our Scouts for coming down and helping us with Council tonight. We greatly appreciate their efforts here and hope this was an experience that was rewarding for them. We're going to take a brief recess before we go forward to allow our Scouts to retire and then we will proceed back with the reading of the Ordinances.

Mr. Walden – The February 5, 2009 meeting of the St. Bernard City Council is back in session. The first Ordinance up for consideration tonight is Ordinance No. 1, 2009 if Mrs. Kathman could give Council the first reading of that Ordinance.

ORDINANCE NO. 1, 2009. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND TO ADJUST CERTAIN APPROPRIATIONS AND DECLARING AN EMERGENCY.

Mrs. Brickweg – Actually, before I make a motion I do have a question and I think some of the others on Council have the same question and I just want to make sure I'm getting this all correct. On this Ordinance, on the Master Plan Fund purchase of property, and I don't know if Gerry Wiedmann, is this money going into the line item so we can buy the properties that we discussed in Executive Session.

Mr. Wiedmann – Yes, that's what the amount that's in there now is the amount that we talked about.

Mrs. Brickweg – OK, at this time I guess there are some questions. I did receive a phone call today regarding this sale agreement and part of the property concerning a liquor license that I was unaware of so I don't know if we want to discuss that now or go into Executive Session but I do have some questions on that because I thought it was included.

Mr. Burkhardt – At this time if we do discuss anything concerning the purchase of property I would advise taking it into Executive Session because these deals aren't done by any stretch of the imagination and if anything gets out beforehand and we lose these deals it would be inexcusable, let's put it that way.

Mr. Walden – It appears that there are a number of Ordinances regarding properties tonight. Would Council feel more comfortable going into Executive Session before we address these?

Mrs. Brickweg – I would! I would like to make a motion to go into Executive Session to discuss the purchase of property.

Mr. Tobergte – I'll second that.

Mr. Walden – A motion by Mrs. Brickweg, seconded by Mr. Tobergte to go into Executive Session to discuss the purchase of property. Would Council prefer to do that now before we address the Ordinances?

Council – Yes.

The motion passed 7-0.

Mr. Walden – I apologize to those in the audience but we will be taking another brief break for you all.

Mr. Geiser – Before you go into Executive Session, does anyone have any questions about the second part of that Ordinance because if Executive Session is going to take some time, I prefer, I have to go home to help the wife with the newborn here.

Mrs. Brickweg – I have no questions, anyone else?

Council – No.

Council went into Executive Session to discuss the purchase of property.

Mr. Walden – The February 5, 2009 meeting of the St. Bernard City Council is once again back in session. Before we adjourned into Executive Session to discuss the purchase of property we had had the first reading of Ordinance No. 1, 2009 and I would ask council what is your pleasure regarding that Ordinance?

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to suspend with the second and third reading of Ordinance No. 1, 2009.

REMARKS

Mrs. Brickweg – I would just like to thank Mr. Wiedmann and the Mayor for answering questions that I had regarding this Ordinance.

The motion to suspend passed 7-0.

Motion by Mrs. Brickweg, seconded by Mrs. Bedindhaus to adopt Ordinance No. 1, 2009 as read. Motion passed 7-0.

ORDINANCE NO. 2, 2009. AN ORDINANCE PROVIDING FOR THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY OF ST. BERNARD, OHIO AND THE ST. BERNARD COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY.

Mr. Meier – I think because of the questions that we have with this Ordinance and we don't have any immediate need to use this, any contract or anything, I would like to make a motion that we allow this Ordinance to go it's regular course so we have some time to discuss it.

Mr. Walden – We have a motion to allow Ordinance No. 2, 2009 to go it's regular course, is there a second?

Ms. Hausfeld – I'll second that.

Motion by Mr. Meier, seconded by Ms. Hausfeld to allow Ordinance No. 2, 2009 to its regular course.

REMARKS

Mr. Tobergte – One of the reasons for doing this was saving the City some money to the interest of the bond issue. If we postpone this for two weeks that's going to cost us a couple of thousand dollars probably, Jamie?

Mr. Sipe – This has nothing to do with the

Mr. Tobergte – I thought we were replacing the loan with this.

Mr. Sipe – This has nothing to do with paying back the loan. You guys are extending a number of loans to the CIC. This has nothing to do, you've not authorized the pay back of the bond issue. You've discussed it, we've been in communication with the underwriters but the loan, this has nothing to do with paying back the loan.

Ms. Hausfeld – It is my understanding that we could rescind that loan.....

Mr. Sipe – You can but.....

Ms. Hausfeld – And then

Mr. Sipe – This has nothing to do with that loan

Ms. Hausfeld – Right

Mr. Sipe – You guys, this is you extending the CIC a loan for one million dollars, whether it's out of the General Fund, it's out of the bond money.

Mr. Burkhardt – But the thing is, you want to pass this before you rescind that loan, I would think.

Mr. Sipe – That is correct, but I'm just saying.

Mr. Burkhardt – The longer you hold this off, the longer it is to rescind the loan which means we pay more interest, that's what Donnie is trying to say.

Mr. Sipe – I understand that, but this still has nothing to do with it.

Mr. Burkhardt – Yes it does.

Mr. Sipe – No

Mr. Burkhardt – You've got to pass this before you can rescind it.

Mr. Walden – Gentlemen, we have to be recognized because we have two people talking at one time.

Mr. Burkhardt – You have to pass this before you can pass the other one.

Mr. Sipe – Council can give the CIC a million dollars at any given time. Repaying the bond money is a whole different item.

Mr. Burkhardt – The thing is, we have, the CIC has stuff out there that that bond money is backing. OK. You can't rescind it and have nothing to back it. That's why you have to pass this.

Mr. Sipe – I agree with that.

Mr. Burkhardt – That's what Donnie is saying. You've got to pass this before you rescind the other one, otherwise they have no backing.

Mr. Sipe – As it stands right now, this does not replace the other loan that is out there right now. This does not replace the other loan.

Mr. Burkhardt – It does in a way.

Mr. Sipe – In a way but it does not replace the original loan that is set up that has the other properties mentioned in it.

Mr. Burkhardt – I agree with that, but because the CIC uses that loan as a backing, they have used it, they need this before you can rescind the other one. That's what Donnie is trying to say.

Mr. Sipe – Yes, and it takes us, we have to notify the underwriters thirty days in advance which has not been done yet to repay that loan.

Mr. Burkhardt – Right, but if you let this take its regular course, you're talking a month and a half out.

Mrs. Brickweg - I guess the question I have there is if we went ahead and passed this and we also have the bond out there, aren't we now talking 2.5 million dollars?

Mr. Sipe – The loan agreement that the CIC has now with the 1.5 has specific properties mentioned in it according to the CIC and their meetings that that project is not going to happen under that same context. Now I'm not, I've not been to the CIC meetings, my only thing is, I was trying to get the bond repaid out of the General Fund which is where that money is sitting right now. The City will have additional reserves to grant, not grant, loan to the CIC with my contentions all alone. Yes it does cost us \$187.00 a day for that loan to be, the bond to be sitting out there. This here is saying you are going to have a loan agreement with the CIC for up to a million dollars out of the Reserve Fund. Now the note is going to be called in September on the 1.5 anyway. The only thing we're trying to do is save some of the interest that we would be paying between now and September. That was my only contention, trying to save the City some money on the interest by getting rid of it and then if the CIC needed additional funding, loaning them out of the reserve.

Mr. Tobergte – I don't know if it is appropriate at this time but can I make a motion to amend this Ordinance to go ahead and pay off that bond then while we pass this one.

Mr. Walden – We currently have a motion and a second on the table to let the Ordinance take its regular course. I think we would need to take a vote on that before we do any motion on amending.

Mr. Meier – The money that we have on the 1.5 million dollar bond, when we repay that, that's going to come out of reserve. We're not going to, the money that's already been spent out of that is not coming back to us so it's coming out of the reserves irregardless of whether or not this is in place. So the money that was spent for the acquisition of properties, the CIC can't give us that money back to repay the bond. If the City repays that bond, it's coming out of reserves, OK, this is a separate issue that after that is paid back, that we would then replace that bond money with additional reserves. We can pay that bond back and like I say, the CIC is not going to have to come with \$475,000 to help repay that bond. It's all coming out of reserves.

Mr. Tobergte – Kevin, I understand that but the idea of doing this agreement was to save the interest money that Jamie brought up. I understand we're not getting the money back from CIC, I knew that from day one. But to me it would make sense to amend this to end the bond, pay the bond off, everyone save it and give a line of credit to save the interest money for now even though we're not getting the \$475,000 back or whatever.

Mr. Sipe – Through the original loan agreement that you have in place right now, you will be getting that \$475,000 back through the rent that is coming back on the property down at Vine St.

Mr. Meier – From my understanding, that loan agreement, we're not getting any rent back from that property on Vine St. The CIC is keeping that. Am I correct Gerry, we're not getting anything back from that?

Mr. Wiedmann – I'm sorry, I didn't get the entire question.

Mr. Meier – OK. Let me put it this way. How much rent has the CIC paid back to the City from the property on Vine St. And how much do they intend to pay back next year from the property that was the Nu-Maid site? Or the KFC site. My understanding is that the way that loan agreement is set up is that the CIC is not obligated to make any interest payments coming from that rent. Am I correct or incorrect?

Al Kanters – That’s my understanding, yes.

Mrs. Brickweg – We did discuss this at length at COW and I do think we were in agreement that we did want to pay off the bond to save the \$187.00 a day. I think the majority of us were in agreement to have this loan or the wording changed to provide the CIC with a million dollars. I think the problem I’m seeing is that I thought they were both going to happen at the same time. I think that’s the problem that some on Council are having. I just assumed since we discussed this that those would be voted on tonight. I know that’s how I feel that it just would be a lot easier if we could just end one and started another and that’s how I feel and that’s why I’m confused.

Mr. Zix – Before Council tonight is Ordinance No. 2, 2009. This is a line of credit to our partners, the CIC. We’re not spending the money, they’re going to be coming back if they have a project. They’re going to be coming back until we get the money in the right avenues to give them this so they still have to come back to us. By going regular course we’re just going to impede their progress because they wouldn’t be able to do anything with that line of credit. We still have to OK each one of these projects as they come back. We have to transfer the money. There’s several ways Council can block projects, but I think this would slow the CIC down too much.

Mr. Peck – I don’t have any problem voting on this Ordinance tonight. I think it’s a good idea but I would like Jamie if he could at the next COW, we have to discuss paying the bond back because I do think they’re linked. I’d like to get that Ordinance done and get it completed but I have no problem voting on this and passing Ordinance No. 2 tonight.

Mr. Sipe – I agree with that with Council also and Mr. St. Clair has been in contact with the underwriters. He did call them last Friday. He has not received a call back from them yet so we are working with the underwriter which I believe is Huntington Bank and Fifth Third to get this paper work in order to do that. I agree, the line of credit, what I’m trying to say is this line of credit going to the CIC does not affect paying back the loan. That is two separate issues. The only other comment I have is, the loan repayment from the original loan agreement from the CIC says, inconsideration of and repayment of the loan the borrowers shall make as loan payment, payment it receives from money it receives from the sale, leasing or other disposition of all parts of the property and the property listed for the KFC was in that loan agreement so we should be getting money back to the City from the payments from the CIC that they are receiving from the KFC property as far as I know.

Mrs. Bedinghaus – I would like to see this Ordinance pass by emergency. I agree with Greg and several others that said it would perhaps impede the movement forward of the City. But the other thing that really is concerning

about this is the CIC and the City, which is all of us and the Administration, we're a team here. We're working for the same thing and if we can't entrust the CIC to have what's in this agreement that will be the best for the whole City that we've had expert people work on like Mr. St. Clair or Mr. Kanters or whoever else is underwriters and whatever, we're going through the right steps. It just seems like we're at each other's throats when we're a team here. It just, I don't understand that so I want to work with the CIC, I'm all for this. I want to give them this line of credit but I also want to see this loan paid back ASAP.

Ms. Hausfeld – First of all, I have no problem working with the CIC. The problem I had, like Peggy, I was under the understanding that we would rescind the one and do the other one. I'm not comfortable having two different loans out there at one time for the CIC without, I mean I would be fine if we were to rescind one tonight and doing the other one but we're not. We're going to have two lines out there for them so I'm not comfortable with that and as far as the one in front of us now, and no Al, I did not get a chance to read it yet, so, just so you know, I'm a little confused, OK, the one million dollars that we're extending from the reserves. Say you spend \$400,00 of that, I'm just giving you a for instance. Does that \$400,000 from the CIC come back to that line item or is that question right? Does that make sense? How is it paid back or how is it or where does the money go once the CIC gets it? Would it come back to the line item or would it go in the CIC line item separate from this loan? Does that make sense?

Al Kanters – I think we're getting a little too much in detail here. What you have decided to do is fund the Community Improvement Corporation. What you're doing now is funding access for that Community Improvement Corporation. You're not borrowing any money tonight. You're not allocating any funds. All you're doing making a public statement saying that St. Bernard is supporting the CIC with another line of credit. Now, how that is paid back and when it's paid back should be the decision made by the CIC Board, the Mayor, Mr. Wiedmann, Mr. Meier sit on. It makes little sense to have the economic developer to start paying money back to you and then have to come back to you to get money back again. If you want to fund the agency and have that agency come into a situation where there is a need for the money to be paid back it would have to be on a need basis. You're just taking money from one pocket into another pocket for different activity. This community has decided it wants to move forward. You need to start thinking about you're moving that money. You're putting it in a separate place and saying this money is ready to go and the CIC is making it happen.

Ms. Hausfeld – Just to clarify it a little more to me, don't call me stupid,

Al Kanters – I would never call you stupid.

Ms. Hausfeld – But sometimes you need to explain things a little bit more to me, oh I lost my train of thought.

Al Kanters – Go ahead, take your time. I want you to feel comfortable about what you're doing. This is important for the future of St. Bernard and that everybody understands why we're doing these things.

Mr. Meier – First of all this is a, I'm not opposed to funding the CIC, I think we need to fund the CIC. The question I've got, there are questions up here, we've got an Ordinance that was never seen before and we've got a loan agreement that was never seen before and we're committing a million dollars to this. In the past we've had other Ordinances that didn't have nearly as much financial impact that members up here said that they would not vote on if they hadn't seen prior to. I'm not asking people to vote against it. All I'm asking them to do is allow this to go regular course so people who have questions or concerns and have them answered so they know exactly what they voted on. I'm not saying that I'm for this or against it, I just made a motion for it to go it's regular course so there can be full discussion and questions can be answered and people know what they're voting on and they're comfortable with their vote. That's all I'm doing.

Al Kanters – In reference to it going its full course, there's no immediate deals on the table. Any project where I felt we should be accessing these funds for, the shortest time frame it would be needed would be sixty to ninety days, and then that would give us enough time to discuss these things. There's no immediate need for this so I'm comfortable with it going the regular course. All we need to assure the CIC is that the commitment is there. That's what I need to have in my back pocket when I talk to "for profit" developers. When I go to talk to a bank about financing the Bertus and Vine project, the only construction financing you're ever going to get maximum is 80%. So on a million dollar project that means you have to have two hundred thousand dollars in your pocket or the bank won't even talk to you so that's why we create this support structure. So I have no problem with it taking its regular course and I encourage Council that if you want to pay this bond back that you proceed to do that promptly.

Ms. Hausfeld – My brain unfroze. Peggy actually answered my question. My comment was, so anything that you would want to do as far as a project out of this line of credit you would actually have to come to us to get approval and she said yes you would.

Al Kanters – Absolutely, it's your community, not mine.

Ms. Hausfeld – That's it, yes, and I have no problem funding the CIC. I will say it's a little frustrating because I was hoping to have some development by now but I understand it takes time but with the economy right now it is a little rough so that's all I want to say.

Mrs. Brickweg – I don't think anybody up here, Cindi suggested that some people weren't with the CIC or anything like that, I don't think it's anything like that. The one thing I think the public needs to know is that when we get up here, especially tonight, there's like five Ordinances and one Resolution and the one Ordinance has an entire loan agreement to it. We just got this, OK. When you're voting on something like this that has a huge impact on the City, a lot of money, we do need time to ask questions. We did discuss it at the COW and like I said earlier, I think everybody is on the same page. But when you're voting on this as a Council person you need to make sure the t's are crossed and the i's are dotted. And it might frustrate some people but it doesn't mean somebody doesn't support something, not in any way. But it's our job to know exactly what we're voting for and that's why I

asked Mr. Wiedmann the questions before. It wasn't like I didn't support anything but I just want to know what I'm voting on before I vote on it. I think since he said that if it went regular course then we can work at the same time to get the note so we can pay it back and I think everybody will be a lot more comfortable with that. I think we're all in agreement. It just took some time to talk it out. And hopefully that doesn't frustrate the citizens but maybe they'll be happy that we're looking into it and making sure like I said all the i's are dotted.

Mr. Walden – At this time we will vote on the motion to have Ordinance No. 2, 2009 take its regular course and since it has been some time the motion was made, an aye vote would be in favor of the Ordinance taking its regular course and a nay vote would be against the Ordinance taking its regular course.

The motion to allow Ordinance No. 2, 2009 take its regular course does not pass, 3-4. Mr. Tobergte, Mr. Peck, Mrs. Bedinghaus, Mr. Zix voted no.

Mr. Walden – Does anyone have any interest in having Ordinance No. 2, 2009 forward at this time.

Motion by Mr. Zix, seconded by Mr. Tobergte to suspend with the second and third reading of Ordinance No. 2, 2009.

REMARKS

Mrs. Brickweg – I guess my confusion is that all of Council just heard that we have some Council members that they have some additional questions that they would like answered. The Executive Director of the CIC said he was totally fine with this going its regular course. It makes no sense to me why we're pushing this through. To me we're not working together as a team on Council and I don't even have the questions but I will respect some people that have questions and if it doesn't have to go emergency and the Executive Director said it didn't have to go emergency I don't understand why anybody wouldn't listen to that.

Mr. Meier – If this does not go emergency, we can discuss this at the COW next week and two weeks from tonight we can vote to suspend with the third reading of this Ordinance and we can still pass it in two weeks. As long as we don't have any issues or projects that have to be funded in the next two weeks we should still be OK.

Mr. St. Clair – Notice on the first page the second paragraph of the Ordinance, “now therefore be it ordained by the Council of the City of St. Bernard, County of Hamilton, Ohio, three-fourths of the members elected thereto concurring”: so in order for this to pass tonight it would be three-fourths of the members to concur.

Mr. Walden – Since we are voting to suspend the second and third reading I also want to offer the audience a chance to speak regarding Ordinance No. 2, 2009 if anyone would like to do so. If not please call the roll.

The motion to suspend did not pass 4-3, Mrs. Brickweg, Ms. Hausfeld, Mr. Meier voted no. Ordinance No. 2, 2009 will take its regular course.

ORDINANCE NO. 3, 2009. DECLARING THE PROPERTY KNOWN AS 423 EAST ROSS AVENUE TO BE NEEDED FOR MUNICIPAL PURPOSES: AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT FOR THE PURCHASE AND ACCEPTANCE OF THE DEED OF SAID TRACT; AUTHORIZING PAYMENT THEREFORE, APPROPRIATING THE NECESSARY FUNDS; AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 3, 2009.

REMARKS

Tom Rolfsen, 30 Clay St. – Back here again wondering why the City is buying property when we're giving 2.5 million to the CIC to buy property so I don't understand why we're buying property and we're also giving 2.5 million for an organization to buy property.

Mr. Meier – I think in this particular one the CIC main charge is the development of Vine St. This is property that's not on Vine St. Right now there are about eight major projects that the City has between the City and the CIC they have going on. Between Nu-Maid, Mitchell and Vine, Bertus and Vine, the Bertus St. Park, the Imwalle Canal Bed property, the Vine St. Ohio Heritage project and this particular project. That's a lot of different things to be going on for one person or one Ward to be doing. Since this is something that is away from Vine St. that is appropriate for it to be handled through Gerry's office of development and that's why its separate from what the CIC was doing. I hope that's an accurate assessment of where we are.

Tom Rolfsen, 30 Clay St. – If I accept that then how come we have the CIC has bought property on Mitchell Ave. and also on Tower and Mitchell, that's away from the Vine St. property if that's what you're telling me the CIC's main thing is to develop Vine. St.

Mr. Meier – The property on Tower that I believe you're discussing was purchased by the City and that particular deal, and again I want to recognize Mr. Wiedmann because over the last year he has done an extraordinary job of acquiring properties and that was the Brickler property. Included in that purchase of the Brickler were the two Brickler properties that were on Vine St. and if I remember correctly, those two properties have been deeded over to the CIC because they are on Vine St. The other property is being put into the scattered site housing so that the City can develop that separate from the CIC. The property that was acquired on Mitchell, the idea behind that was in order to satisfactorily develop the corner at Mitchell and Vine, that one group of properties from that corner up to the Roger Bacon Stadium are critical that if we're going to get really good development on our side we have to get rid of that problem on the other side. The property that was acquired was acquired at a very favorable rate and is actually producing income to the CIC plus its one of those that in the collaborative work that Mr. Kanters and the CIC is doing with North Avondale, I guess the best way

of looking at that is as a good faith effort to work with them because we're going to need them and their fund to do work on their side of Mitchell so that we can successfully develop our side of Mitchell. Yes, it's outside of the City but it is an income producing property so we're actually getting more in rent than it's costing us to have that. That is my interpretation of that and I hope that is a satisfactory explanation.

Tom Rolfsen, 30 Clay St. – Well, the other thing is who in the City here knows anything about developing property. We're buying this property, we're tearing houses down, we have lots. Where are the plans all I see is empty lots and stuff like that and I don't see anybody in the City thing here that knows anything about developing. I mean that's why you're using CIC to develop things but we're buying property and I'll be up here again because it's the Church St. property too but I'm just saying I think it's kind of ridiculous and the other thing is when I'm sitting back here and I'm hearing you guys going to lend out a million dollars and half of you think you're getting ten thousand back from KFC and half of you don't think it and then you're asking somebody not a legal question oral stuff and then you're accepting that. I'm getting a little concerned with all the money being spent here in St. Bernard, OK, in light of what's happening with Hamilton County and everything else and then you, I don't see a Council here that knows exactly what they're lending the money out for anymore. Half of you go, well I think ten thousand is coming back in then the other one says, no it's not coming back in so I think you need to get your ducks in a row and understand what you're doing before you lend all this money out to somebody.

Mr. Burkhardt – As far as development, Mr. Wiedmann's Office has developed many properties in this City through the very same thing we're trying to do with Tower and hopefully other properties that we acquire. Angels Way is a perfect example. That was all done through Mr. Wiedmann's office. The property up on Ross Ave., the house was built, the property up on Rose Hill, Mr. Wiedmann's office is very capable of getting these properties built on and getting them developed. The properties up on Tower and Mitchell that Hackney did, that was all done through Mr. Wiedmann's office. He is very capable of doing his job and I have every faith in him on these properties that we're purchasing now that he will get something done. It does take time though. You have to plot them, you have to zone them, you have to get the bid packets ready by the standards that you want. Do you want them to have basements, do you want them to have brick wrap, all that has to be done. Do you want them to have garages, all that has to be done and it has to be done right before they go out and you have presently working on the Tower Ave. properties to do that. My hat is off to Gerry Wiedmann because this past year he has been swamped and this is only going to add to that but he does his job.

Mrs. Brickweg – First, I do agree with the Mayor and Kevin I think you did a very good job explaining everything. The one way you have to look at this, its two different things, actually its three different things. You're going to have your residential housing and you're going to have your business district. And yes, Mr. Wiedmann can handle the residential. We have talked this over many times, we talked on public floor, we talked at COW. There's different ways we need to improve our City. Besides the business district,

which is what the CIC is working on, is we need to get new housing in here, people want new housing. We're buying blighted, you know, bad housing and tearing it down in order to build new homes. There are the two different scenarios. You have to work on two different things at the same time. Now, you're not the first person to ask the question, where's the development? The funny thing is last night I was at the First Suburbs Meeting and that was one of our main discussions with the Hamilton County Commissioners. They're going through the same thing, but it's real simple. The economy is horrible right now. People are not being able to sell property, they're not being able to sell their houses. What a municipality needs to figure out is what's in our best interest at that time. It's not developing right now, you can look all around, developers are not developing. It's that simple. We can sit back here and do absolutely nothing and say oh well we can't help that no one is developing, or you can take the other angle and say let's buy up the property that people are having a hard time selling or people that want to just get rid of. You have to take the bad situation and find the good in it. To me that's what I think the City is doing. It might look like we're spending a fortune right now and we're buying up property, we can't develop something we don't own and so if we're able to buy and if you look at some of the property we have purchased, the prices that Mr. Wiedmann and the CIC and everybody else has negotiated for are very good prices and one of the reasons is the economy. Once the economy turns, then you develop it. That is what we discussed last night. Actually one of the things the Commissioners even said, with President Obama's stimulus package he's working on and it's not totally confirmed yet, there's a very good chance the stimulus money we're getting, the \$235,000 is going to be doubled. The reason is they want the communities to buy up this property, either tear down or build something. They're also working on new housing corp., they're working on a foreclosure program. I was going to give my report on that tonight but I didn't want my Scout to have to read all that. We are not the only community that is doing this. When you look around that is exactly what were doing. I know a lot of people are very frustrated that they don't see the development going on but we have to own it and if we can get it cheaper and buy it now and develop it later I say that's the way to go.

Ms. Hausfeld – Sorry Al I'm not picking on you but yes I am tonight. I do agree with Peggy for the most part. We do have to buy up and do some things now for when the market turns around we do have to go that way. I made it very publically known to Al, actually him and I don't see eye to eye on this but that's why we're in America and we can disagree. I personally don't want to see the CIC or the City to buy outside of St. Bernard. I think the City of St. Bernard has enough to work on inside their borders before we spend money outside the borders and that's what Al and I disagree on. It has, you might not have heard me on Council floor, I've actually discussed it at a COW it think it was, and I actually discussed it on my job one day with Al. it has been discussed and there are and even though you might see us up here disagreeing, we do have our disagreements and we make it known to the people who are dealing with that particular thing right now. Like I said publically I am against going outside the City of St. Bernard. I think there is enough to do inside the City of St. Bernard to work on, to spend our money and see things done and actually Al sat up there last week right where you are and he kept using the word complete, complete, complete. And I said Al I got to tell you, I haven't seen anything completed yet and I'm one of those

ones that hired him or that gave the OK to hire him and I did want things done by now but if it's not, being up here on Council, I sat out there in the audience just like you did and said, why aren't things getting done, things need to be faster, it does take time and especially with you working with the economy that we're having right now, it takes time and that's all I'll say on that matter.

Tom Rolfsen, 30 Clay St. – Alright I agree with you Patty, the other thing is, you know I've been up here in the last year every six months about the library property and the last time it was, well we're working on it, we know the library is in a good spot we're working to switch it. What's the status on that property now?

Mr. Walden – There will be an opportunity for audience members to ask questions of the Council members but the only issue presently on the table is the motion to suspend with the second and third reading or Ordinance No. 3, 2009 which concerns the 423 East Ross Ave. property, but Tom if you do want to ask that question later we'll certainly give you that opportunity.

Mr. Tobergte – If I may, just a question, when we buy this, if we buy this, is this a complete teardown or is it apartments available we could rent out for a while before we tear it down is there any notion on that?

Mr. Wiedmann – To answer your question Don and I hate to do this, these are, the Ordinances are to enter into a contract. There are certain things that have not been decided yet as far as that contract both from our side and the seller's side. There has been some discussion about a complete tear down, yes, but that has not been entered into a contract at this point. I know that's the preference of the people that are selling. I won't know any more about that until we get into the negotiation of the contract.

Mr. Tobergte – I'm not sure I heard you right but you said it was up to the seller whether we tear it down or not.

Mr. Wiedmann – That's not what I said. What I said was, that it is a contract that we're going to enter into. A contract is between a seller and a buyer so they have certain things that are going to be concerns of theirs and we're going to have certain things which we discussed in Executive Session before that are going to be certain things that we're going to be after in that contract. I can't say whether your question is going to be, it will be addressed, but I can't tell you right this minute whether it will be in the contract or not. I don't know, you look dumbfounded but go ahead ask away.

Mr. Tobergte – The contract you're entering in is just the purchase of property, correct?

Mr. Wiedmann – Yes.

Mr. Tobergte – So the question of whether we could rent it out or not has nothing to do with the purchase.

Mr. Wiedmann – Not necessarily, a lot of things that are in contracts, there's easements, there's a whole bunch of different things that could enter into a contract. Use could enter into a contract. At this particular time I said that that has been part of the discussion but it's not been signed on the dotted line as far as what we're going to do with it or what she wants us to do with it.

The motion to suspend with the second and third reading of Ordinance No. 3, 2009 passed. 7-0.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to adopt Ordinance No. 3, 2009 as read. Motion passed 7-0.

ORDINANCE NO. 4, 2009. DECLARING THE PROPERTY KNOWN AS 113 CHURCH STREET TO BE NEEDED FOR MUNICIPAL PURPOSES; AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTACT FOR THE PURCHASE AND ACCEPTANCE OF THE DEED OF SAID TRACT; AUTHORIZING PAYMENT THEREFORE, APPROPRIATING THE NECESSARY FUNDS; AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 4, 2009.

REMARKS

Tom Rolfsen, 30 Clay St. – OK if I'm reading this thing here it says that it's a need for the City for a preservation of a public peace, health and safety. What does buying one piece of property in the middle of a street have to do with, what is the purpose of buying this property?

Mr. Burkhardt – The police runs to this property have been astronomical. There have been DEA raids on the place, it has become a public nuisance, it's run down, it's been a problem for the neighbors for a couple years. It's just one of those properties that need to go away and I think in the long run it will also give us an avenue that if we ever do continue to develop Bertus St. Park on down to Park Place, actually it squares that tract of land off. That property would square off that tract of land all the way up to the Bertus St. Park, so it could actually give you a road or a driveway up to the properties up through Park Place.

Tom Rolfsen, 30 Clay St. – OK, thanks Bill, I just wondered why we were buying a land locked house in the middle of the block, thanks.

The motion to suspend the second and third reading of Ordinance No. 4, 2009 passed 7-0.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to adopt Ordinance No. 4, 2009 as read. Motion passed 7-0.

ORDINANCE NO. 5, 2009. DECLARING THE PROPERTY KNOWN AS THE NORTHWEST CORNER OF CLEVELAND AND GREENLEE AVENUE TO BE NEEDED FOR MUNICIPAL PURPOSES; AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A

CONTRACT FOR THE PURCHASE AND ACCEPTANCE OF THE DEED OF SAID TRACT; AUTHORIZING PAYMENT THEREFORE, APPROPRIATING THE NECESSARY FUNDS; AND DECLARING AN EMERGENCY.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to suspend with the second and third reading of Ordinance No. 5, 2009.

REMARKS

Tom Rolfsen, 30 Clay St. – My question is when you pass this Ordinance, do you have stipulations that they can go out and offer for this property or who decides that on any of the property that we're passing an Ordinance on? I don't see a figure anywhere in here so who determines if we pay them a million dollars or we pay them one hundred thousand dollars?

Ms. Hausfeld – Tom, we did discuss all three of these properties in length at last week's COW in Executive Session and Gerry Wiedmann knows what the dollar amount is to offer and since it's not a signed contract we're not going to publicize it. It will be publicized afterwards but not before then.

Tom Rolfsen, 30 Clay St. – Since Council is aware of the maximum stuff, OK, I was just wondering if there was some kind of limitations on it.

Ms. Hausfeld – We had discussed it last week.

The motion to suspend the second and third reading of Ordinance No. 5, 2009 passed 7-0.

Motion by Mrs. Brickweg, seconded by Mrs. Bedinghaus to adopt Ordinance No. 5, 2009 as read passed 7-0.

OLD BUSINESS

Mr. Tobergte – Bill, last year I asked if we could have these Ordinances in our mail boxes on Wednesday possibly. I'm down here every day, I think it would help relieving some of the confusion on these Ordinances if we could at least have them one day ahead of time.

Mr. Burkhardt – OK, I'll check into it and see how quick they can get them made up. I guess Heidi does some, Walt does some, but yes, we'll try to do a better job of getting them out.

Mr. Meier – Two things, one Mr. Rolfsen you asked a question about expertise in development a few minutes ago and we've got two gentlemen sitting up here who have quite a bit of expertise. Mr. Kanters and Mr. Wiedmann and they both do a fine job. Mr. Kanters and I typically tend to engage in a little bit more debate than some other people but he does have the expertise that we need to help the City. Disagreement is not always a bad thing. Like I say, we're going in the right direction, we're getting things done. Mr. Wiedmann, like I said before, he's done an outstanding job of acquiring properties that the City needs. Problem properties, these properties that we've voted on tonight, he's probably been working on those

for a good two years and continued the dialog until we could get to a point where we can acquire properties. We do have the expertise and I know on this particular property, I know some people have already looked at it, Gerry has seen some schematics and some different layouts of how you could put single family homes in there, town homes, different things of that nature. We do have the expertise. I don't think we've rushed into anything. Again, even though we do have disagreements and we have debates, we have the expertise there. We went out and we hired it and are making use of it. That being said, I think that right now because of the number of projects that we have between the City and the CIC what I would like for us to do at some point, whether it's a joint CIC/Council meeting or at a CIC meeting, I do think it's time that we prioritize these projects because we don't have enough funds to fully finance everything. I think at this point I think it might be appropriate that we sit down, list the projects, come up with some kind of priority on the ones we think we can actually get accomplished, that we can afford to accomplish and then put a plan and a budget together to do that and then implement that so that we can get some things going. I think we're at the appropriate time that we do that. Like I said, we've got eight major projects going on in the City, Nu-Maid, Mitchell and Vine, Bertus St. Park if that comes, the Imwalle Canal Bed that area, the properties that we voted on acquiring tonight, revitalizing current housing, some of the blighted properties that we have going on and then the Vine St. Main St. Project. That's a lot for anybody and it's a lot for a City to do so I think the appropriate next steps would be to prioritize those. But again I do want to reiterate that we do have expertise here within the City, within the CIC and we have access to other expertise for developers to bring in.

NEW BUSINESS

Mrs. Brickweg – This is just something I wanted to ask to be on the COW agenda for next week. At the First Suburbs meeting last night we were able to see a documentary that had been taped for the whole United States but it was centered on Tom Moeller, who was a St. Bernard resident, from Maderia and Mayor Ellison from Elmwood. It basically explained what a first suburb is, how they came, what's going on in areas like Mason and what it's doing to a City like St. Bernard. I wanted to bring that up because we got to see the screening, its 26 minutes and I asked the lady at that meeting if it was possible for the City to buy it. It was \$25. We could show it after a Council meeting or even during it. I just think it really hit home to me how it all started, where it's going and how St. Bernard is not alone with these problems. It was just a very good 26 minute documentary and I would like to put that here that we discuss the possibility of showing it.

Mr. Meier – Mrs. Brickweg if we could get a copy of that or if we decide to buy that, if you could get a copy of it to me I could take it over to ICRC and we could see if we could get it set up so they could have a streaming video through the City web site so that if any residents wanted to see it at their own leisure we could make it available. I'd be happy to make that contact if we could get a copy.

Mr. Stegman – I would like to ask Council, in my report tonight I told you that we were very low on salt and I've locked down 200 ton at \$134.00 a ton which is, I told Walt, they based it on emergency, but I would still like to

bring it back to Council since it's \$26,400.00 so I could get your OK to continue on with this. There is money in the line item for it, the amount that we're getting is a little higher than what was budgeted but I mean we can go ahead and continue on, but I just want to make sure Council is aware of that dollar figure going out and get their OK because if it's \$25,000.00 I'd have to have Council's permission. Isn't that correct Walt?

Mr. St. Clair – Yes.

Motion by Mrs. Brickweg, seconded by Ms. Hausfeld to allow Mr. Stegman to spend \$26,400.00 on salt. Motion passed 7-0.

AUDIENCE WISHING TO ADDRESS COUNCIL

None.

Mrs. Brickweg – The next COW meeting will be Thursday, February 12th at 7:30.

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