

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on November 8, 2006 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
ANDREW C. BALL
MACK CUNNINGHAM
MATTHEW FAHEY
DUNCAN HENNES
GEORGE S. PRATT
HOWARD G. SEITZ
Councilmen

ABSENT: None

The Council convened at 7:30 P.M. Mayor Otis made a motion, seconded by Councilman Fahey and unanimously carried, to adjourn to executive session at 7:31 P.M. to discuss pending litigation and attorney/client matters. Councilman Hennes made a motion, seconded by Councilman Pratt and unanimously carried, to close the executive session at 7:55 P.M. The regular meeting reconvened at 8:00 P.M.

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call

Mayor Otis asked the City Clerk to call the roll; a quorum was present to conduct official city business.

Announcements

City Manager Paul Shew announced that the excessive rains of the afternoon had resulted in a dramatic rise in the water level at the Bowman Dam. He said the Police Commissioner William Connors and City Engineer George Mottarella had been monitoring the dam and while the situation appears to have stabilized and high tide is five hours away, a reverse 911 message had been sent to the Indian Village section of Rye. He noted how many factors are involved with each weather pattern and how unpredictable flooding can be.

3. Update on Apawamis Crossing

City Manager Paul Shew reported that an experimental program to alleviate the traffic and safety issues at the intersection of Milton Rd. and Apawamis Avenue during the beginning of school crush has been implemented. In essence, effective November 1, a police officer has been assigned to be on duty at this intersection between 7:30 and 8:00 A.M. each school day morning. The program will continue to the end of the year, at which point the situation will be further evaluated, based on actual experience.

4. Presentation of the FY 2007 Budget by the City Manager

The Mayor introduced City Manager Paul Shew who began the formal presentation of the 2007 Manager's Budget, noting that after this evening it becomes the Council's document. Mr. Shew said this year's format would again have three parts: an overview of the needs and philosophy reflected in the budget; a two-minute summary by each Senior Manager of their department; and lastly, an overview and explanation of the financial picture presented by the City Comptroller. He said after his closing statement there would be an opportunity for questions, but he assumes a more appropriate time would be after the consideration of the budget material and at the first workshop scheduled for November 13.

Mr. Shew said the 2007 budget builds on the Council's 2006 initiatives (completing the Damiano Center, embarking on the Locust Avenue Firehouse and the Police Building renovations, purchasing 1037 Boston Post Road and facilitating the North Kirby Lane Sewer District project), but pointed out the significant infrastructure needs of an old community (its bridges, the central business district, its roads). He said the proposed budget addresses those needs, but emphasizes the importance of self-sufficiency (the Rye Nature Center, for example) and public participation (the Central Business District study group, the need to study the future use of 1037 Boston Post Road). He pointed out proposed new models (for the Rye Free Reading Room and for Whitby Castle) which can set a new course for the future, and noted that the budget addresses needs in the areas such as the Activate America Program (promoting healthy lifestyles), clean air and flood controls, and senior and recreational services, just to name a few. In conclusion he suggested the Council consider a referendum early in 2007 which would request funds for some of the more expensive projects (rebuilding Theall Road, paving part of the Boston Post Road, purchase of 1037 Boston Post Road, the Peck Avenue intersection improvements) and consider authorizing funds for additional challenge grants. He said the budget is a good one which raises issues as well as possibilities and opportunities.

In introducing the presentations by the Senior Managers, Mr. Shew said it is an honor to represent the men and women in the various municipal departments who serve this community so well. The reports of the Senior Managers are summarized as follows:

Christian Miller, City Planner, said a City Planner can assist in delivering quality services and amenities to the community at the lowest possible cost by providing better planning of capital projects. He asserted that how a community manages and improves its capital assets is relevant to both land use and the budgeting process; that the City is maturing; and each day its capital assets (including roads, sidewalks, bridges, sewers and other infrastructures) degrade. It is not a question of if, but when all these assets will require maintenance, rehabilitation or

replacement. In reality it is a planning exercise which will help the City make fiscally responsible choices in an increasingly challenging environment (less available resources, increasing influences from external forces, expanding regulatory constraints, unfunded mandates and changing community priorities). These are challenges and opportunities. In 2007 the Planning Department will continue to provide professional planning services and assistance in facilitating a conversation about capital planning priorities, assessing lower-cost alternatives and developing better decision-making tools to meet existing and future capital improvement needs.

George Mottarella, City Engineer and Director of the Department of Public Works, reported that the *Engineering Department* prepares and administers contracts for all public works, capital improvement and building improvement projects including Building and Vehicle improvement projects. Since 2005 a Pavement Management System has assisted in prioritizing street resurfacing. Professional engineering services are provided to all City Departments, Boards and Committees, including review of subdivisions, site plans, repair to sanitary lines, etc. Mr. Mottarella or Assistant Engineer, Christopher Tallarini, inspects all work. The department issues over 300 permits and responds to citizen inquiries and concerns, particularly with regard to drainage, grading and sewage and coordinates improvements to the City's infrastructure. *Public Works*, which delivers the widest variety of services to the City of Rye of any department, is responsible for the repair and maintenance of 23 traffic signals, all signs, line striping, 50 miles of pavement, 2100 street lights, 53 miles of sanitary sewer lines, 1500 manholes, 7 sanitary sewage pump stations, 30 miles of storm drains, 15 parking lots, 130 parking meters and 10 central pay stations. They collect 6891 tons of garbage from 5100 residential housing units with 7 new garbage trucks, 974 tons of organic waste, 2454 tons of recycling materials, and 175 tons of metal. DPW provides snow and ice control for City roads and sidewalks as well as County roads, last year using 2701 tons of salt. The department manages 10 acres of public park areas, maintains 6200 public trees (and issues permits for private tree work) and maintains and repairs the City's vehicles as well as overseeing 13 public buildings and maintaining the fuel depot. Staff levels have remained static over eleven years despite new State and County regulations and mandates.

Noreen Whitty, Assessor, said the primary responsibility of her office is to create, maintain and defend assessments and property inventory for 4,900 parcels of real property having an estimated taxable market value of over 6 billion dollars. She said while property values reached an all time high, defending assessments has become increasingly challenging as property taxes continue to escalate and the equalization rate continues to decline, threatening to erode the commercial and utility tax base. This rate directly impacts our liability in tax certiorari proceedings, the amount of County taxes Rye pays and our share of the Rye Neck school taxes. Because of her department's efforts the Town of Rye's efforts to shift taxes to City taxpayers has been unsuccessful resulting in \$500,000 in savings for the City taxpayers in Rye Neck as their school taxes have remained unchanged. She expects erratic and unpredictable apportionments in the future. Inspections and assessment of new construction continue to be a priority and this year the City realized the largest year-to-year increase in assessed value in the past ten years. Administration of a variety of tax exemption programs including veterans, senior, STAR, the STAR Rebate Program, and not for profits are also a priority. The office, in conjunction with the Corporation Counsel, represents the City in small claims assessment review and tax certiorari proceedings, including the ongoing case vs. the Miriam Osborn Memorial Home (the largest tax

certiorari case in the City's history which is nearing completion). The goal remains to preserve the integrity of the assessment roll and to insure equitable distribution of the tax levy.

Susan Morison, City Clerk, said the Clerk's Office is the official keeper of records and major provider of information to the public; the issuer and recorder of all State-mandated vital statistics; the issuer of over 2000 parking permits; 1400 fire and burglar alarms, and many other permits. They oversee bids and contracts, regulate the taxi industry and provide numerous other services as requested and required. The Clerk is also the secretary to the Board of Appeals, writer of the official minutes of the City Council, and keeper of the official list of Boards, Commissions and Committees. Records retention continues to be an important role for the Clerk's Office, as is running elections. In 2006 the County assumed official responsibility for running all elections, but as suspected, the Clerk's Office continues to be heavily involved in making sure elections in our City run smoothly. It is still unclear how the financial arrangements will be determined, but it is assumed some of the costs, now absorbed by the County will be charged back to the City. The Clerk's Office will continue to provide more efficiency and excellent customer service in the coming year.

William Connors, Police Commissioner, spoke of the new meaning of "preparedness" – words like 9/11, Katrina, threat level, and "go bag", as well as concepts like NIMS and how to deal with terrorism – and the challenge of being prepared for the possibilities while being realistic about the probabilities, while translating global issues and needs into the realities of a small community. He believes the department meets that challenge well. He reported on the number of situations handled over a given year (14,758 calls for service, 4,799 traffic violations, 1185 alarms, 863 medical emergency calls, 474 arrests on 847 charges; 3,753 summons for Vehicle and Traffic Law violations; 2,479 for parking violations and 144 for violations of the City Code). He described maintaining relationships between the police and youth of our community (the Respect Manual, DARE); saving lives; installing 370 child safety seats (again earning the AAA Gold Award); performing security surveys on homes, patrolling the community, monitoring special events, helping rescue people at sea, and more. He said even more impressive than the numbers is the level of skill, dedication, and concern shown on a daily basis by the employees of Rye's Police Department who combine a respect and affection for the community with a willingness to take the stern enforcement action sometimes necessary. The department is very proud of its role in making Rye a wonderful place to live.

John Wickham, Fire Chief, said they have a "combination" department with 16 paid career firefighters, one career Fire Inspector and approximately 120 volunteers (40 active firefighters) responsible for the protection of life and property through fire suppression and prevention. The department is headed by a non-paid/volunteer Chief and governed by the Board of Fire Wardens. He reported during 2006 they will have responded to over 900 emergency alarms including many problems caused by power outages, but also including fire suppression, control of hazardous material incidents, accident victim extrication, flood evacuation, marine fire protection and mutual aid assistance. In addition, fire prevention programs, fire and arson investigations, code enforcement and fire safety inspections were conducted. This year has seen increased emphasis on recruiting and training volunteers and seeing the growth of Explorers Post 700 (made up of high school students aged 14-20). They continue ongoing equipment replacement and upgrades along with the county-wide fire ground communication effort. They look forward to the completion of the Locust Avenue headquarters; thank the citizens of Rye for

their support; would suggest the need for an additional firefighter while looking forward to continuing to protect and serve our citizens.

Vincenzo Tamburro, Building Inspector, said Rye is a community forever upgrading, improving and rebuilding its structures and properties and probably 90% of what Rye citizens do or want to do to their property is regulated under some code and/or law that the Building Department must enforce. Laws include zoning, flood plain management, housing standards and signs. Code Enforcement Officers must meet the requirement of 24 hours of in-service training per year. With a staff of only three, last year his department reviewed and issued approximately 470 building permits, each requiring 4-5 hours of preparation, with an estimated construction value of \$61 million. They also performed approximately 1800 inspections and pursued violations that often lead to court appearances. The department appeared in City Court 40 times this year, each appearance requiring 2-3 hours of preparation, in addition to the 20-25 hours required prior to issuing the summons. They work with many other departments providing technical advice, assistance to capital improvement projects that improve City-owned buildings, and are on call 24/7 to respond to emergencies. Building works closely with Planning and Engineering as well as with the City Clerk, the Board of Architectural Review and the Board of Appeals.

William Rodriquez, Superintendent of Recreational Services and Parks, said one of his department's main goals is to provide programs, services and facilities in the most cost effective and efficient manner. He is proud of the department's record to meet and exceed annual program revenue projections, but even more important is the social impact and community benefit of providing municipal services that serve the greater community good. For example, open parks and playgrounds; a comprehensive leisure program for youth and young adults through the South East Consortium; an integral role in the activate America committee aimed at educating and promoting increased activity and healthy living skills to combat obesity; a camp scholarship program; work experience for teens; transportation services; the distribution of taxi vouchers; annual flu shots; serving as an evacuation site; services and programs for senior citizens; assistance in coordinating fundraising events for local civic organizations; and assistance to the Leaders of Tomorrow. The true value of a Recreation Department can only be measured when all of its services, outreach efforts and social benefits are recognized. Hopefully with some additional resources requested in 2007, they will continue to explore and implement programs and services that help distinguish Rye from other communities and can add additional value and social benefit that advance the human spirit for both the individual and the City of Rye.

Peter Fox, Boat Basin Supervisor, reported that 2006 turned out to be exceptionally challenging due to the continued difficulties in completing the mandatory dredging of the harbor which is now severely silted in. The largest hurdles continue to be concentrated in the area of disposal of the dredged material. The Boat Basin Commission is trying to engage the attention of the Army Corps of Engineers, as well as that of the appropriate departments in both New York and Connecticut. The Boat Basin members are the only beneficiaries of this dredging project so must bear the full cost. The Commission is committed to maintaining the dredging fund at a level that will support the ever-increasing costs of dredging and is working diligently to find a long-term solution. Hypoxic conditions during mid-summer did occur and the high amount of organic debris coming down Blind Brook continues to affect water quality and siltation. On the

positive side, all finger docks, as well as the middle (or “C”) dock were replaced, as was the main water feed lines to the dock. The Boat Basin is continuing to enhance and improve the haul out and storage facility and continues with ground maintenance for the Friends Meeting House. The Boat Basin continues to run successfully, contributing almost 20% of its gross revenue to the General Fund.

Scott Yandrsevich, Manager of the Rye Golf Club, said the Club consists of 126 acres of manicured land, one of the largest pools in Westchester County, more than 1,500 memberships totaling over 4,000 members and five buildings including Whitby Castle, built in 1853. As an Enterprise Fund the Club is charged with being totally self-supporting and responsible for all operating expenses, debt service and capital costs as well as contributing to the City’s General Fund. Whitby Castle provides us with a revenue opportunity and planning is underway to maximize building usage, increase member amenities and bring the Castle operation to a position of self-sufficiency – all of which will have a positive impact on the community as well as the Club and its members. Since the Rye Golf Club receives no financial support from the City, it must capitalize on opportunities and incorporate the general supply and demand principals of business to ensure its success.

Scott Pickup, Assistant City Manager and Human Resources, said contracts for two of the four bargaining units are up for renewal and all are in negotiation. He reported that the Federal Government has many programs which impact our Human Resources needs. Medicare Part D has significant impact on our retirees, as does Medicare Part B and GASB 45. The Health Care Plan is always in flux and all mandates have impact on this and future budgets. The department is also updating and reviewing job titles and considering personnel changes which will provide more service without requiring more employees. Other opportunities for the City include grant funding for bridges, Activate America, Friends Meeting House, and forest management at the Nature Center. He is also involved with the Cable negotiations, looking closely at Cablevision and Verizon.

Michael Genito, City Comptroller, said he oversees not only the Finance Department, but Information Technology and the Traffic Violations Bureau. His staff is responsible for receipt and disbursement of all City funds, processing of parking violations, and the technology infrastructure relied upon by all City departments. They publish the City’s Comprehensive Annual Financial Report, the Annual Budget document and the Popular Annual Financial Report, each of which have received national awards for many consecutive years. They also prepare and publish the City’s quarterly reports, the Capital Improvement Plan and the Financial Trends Report. All of these reports are on the City’s web site. His staff annually processes over 14,000 receipts, 10,500 property tax bills, 9,000 accounts payable claims, 6,700 paychecks, 600 purchase orders, and the entry and disposition of 19,000 parking violations. His department anticipates many activities in 2007 including a restructuring of staff to improve customer service, coordination with Human Resources, replacement of the financial management system, and the development of a strategic plan and associated performance measurement system. Finance will also be implementing 2007 budget initiatives which include the new model for the Rye Free Reading Room and the recently enacted Occupancy Tax legislation. He believes that the City of Rye Finance Department is one of the best in the country and, with continuing education and training, will be up to the challenge of continuing to be on the forefront of all new requirements, practices and emerging technology.

The Mayor thanked the department heads for their presentations and their excellent performances all year. He said the Council is aware that a lot of work is accomplished with a very lean staff all of whom are at the top of their fields and whose performance is impressive. The City Manager said it was now time for the City Comptroller to present the 2007 Tentative Budget in more detail.

City Comptroller Michael Genito began by reiterating that the City of Rye taxes are the smallest piece of the total tax pie, representing only 17%, with the Rye City School District accounting for 60% and the County for the remaining 23%. He said the proposed tax rate will be \$127.24 per \$1000 of assessed valuation, a 3.39% increase over 2006, or an annual increase of \$105 on the average home which is estimated to be worth \$1.5 million.

The 2007 proposed budget complies with our financial policies. Operating expenditures of \$27 million are funded by operating revenues; \$1.9 million of fund balance is used for equipment and capital items. An estimated \$3.8 million, or 13%, of expenditures will remain in the undesignated fund balance, well above our adopted policy of maintaining a level of 5%. \$270,000, or 1%, is reserved for contingency. Recreation costs are budgeted to recover 50% of cost.

2007 General Fund *expenditures* (including capital) are projected to be approximately \$1.52 million more than the 2006 forecast while revenues (including property taxes) are anticipated to be \$387,000 more than last year. Of the expenditures, by type, 61% goes to salaries and benefits, 1% is for purchase of equipment and 31% are for other operating expenses, such as materials and supplies and contractual costs. Other financing uses, such as transfers to other funds for capital items and debt service, accounts for the remaining 7% of our total costs. Broken down by program, 13% goes to general government services, 42% goes to public safety (police, fire, etc.); 26% to community environment (planning, zoning, public works); 13% to recreation and culture; and the remaining 6% to contingency and transfers.

Funding source, by type, is dominated by revenue from property taxes, accounting for 63% (plus an additional 1% for interest and penalties on overdue taxes). Non-property tax items (sales taxes, the new occupancy taxes, and gross utility receipt taxes) make up 9%; charges for services and licenses and permits each account for 5%, and the use of money and property (interest earnings and rental of property) account for 3%. Fines and forfeitures contribute 2%, and intergovernmental revenue (federal and state aid) provides the final 10%. Broken down by program, general government and public safety each contribute 2%; culture and recreation contributes 3%, community environment contributes 7% and the balance of 86% is not allocated to any particular program.

The figures are further broken down as follows:

- *Cable TV Fund [\$226,789] and Enterprise Funds (Boat Basin [\$523,877] and Golf Club [\$7,615,578])* continue to be self-supporting.
- *Risk Retention Fund [\$616,600] and the Building and Vehicle Maintenance Fund [\$3,780,104]* continue to support City operations charging all other funds a proportionate share of operating expenses. Continued vigilance in safety training,

coupled with excellent track record last year allows the Risk Retention Fund to be lowered for 2007, while the Building and Vehicle Fund is anticipated to rise by 15.7% because of the rising cost of oil and products related to oil.

- *Capital Investment* supporting various assets that are long-lived and typically expensive call for \$2.6 million with \$1.137 million in road reconstruction and resurfacing, and sewers; \$100,000 by the Boat Basin Fund; and \$1,373,050 from the Building and Vehicle Maintenance Fund for a variety of building improvements and vehicle acquisitions.

Debt information from all funds can be summarized as follows: \$250,000 of new debt is proposed for the Bowman Avenue Spillway repair; \$150,000 of existing debt proceeds will be used to enhance accessibility to Damiano Center; and a referendum is proposed that would authorize various projects including the reconstruction of Theall Road, the repaving of a portion of the Boston Post Road, the purchase of 1037 Boston Post Road and the Peck Avenue Intersection improvements. The Rye Golf Club continues to pay down the debt on Whitby Castle.

In conclusion Mr. Genito said that the 2007 budget document is available for review in City Hall, the Rye Free Reading Room, and on the City' website <http://www.ryeny.gov>. He urged residents to contact the City with questions or concerns.

Mayor Otis thanked Mr. Genito for his presentation and announced that workshops would take place on Monday, November 13 and Wednesday, November 15 beginning at 7 P.M. The Budget would also be on the agenda at the regular City Council Meeting scheduled for November 15 and the Public Hearing would take place at the November 29, 2006 Council Meeting. (See minutes of the Monday, November 13 Council Budget Workshop for the official resolution adopting the public hearing.) Additional workshops, if necessary, are scheduled for Monday, November 20 and Monday, November 27 at 7 P.M. City Manager Shew said he was looking forward to input from the Council and public and said the submission of questions in writing would be appreciated.

Mayor Otis commented on the proposed budget by saying it was a good combination of frugality and efficient operations while insuring the City's Aaa rating. He said his major goals would be to look at how to fund major capital improvements (to bond or not to bond); how to address safety and health issues through the Activate America program; to evaluate the Whitby Castle management initiatives and the parking meters and to address flooding issues. He also questioned the referendum idea and wanted more detail about what was included in the Capital needs list. Councilman Hennes reiterated the compliments on the budget and staff efficiency but indicated reservations about any referendum, saying it was unfair to ask taxpayers to vote to complete the purchase 1037 Boston Post Road before knowing its future use. Councilman Fahey agreed. Councilman Seitz said if there was to be a referendum it should be in November during the General Election. He said our needs can be broken down into "must have, should have and nice to have" and our options are to increase taxes, decrease expenses or draw down surplus. Councilman Pratt said the presentations were helpful, that 3.9% was a good start, but he will need a closer look to insure the recommendation can be validated.

City Manager Shew urged the Council to come up with a budget which would allow our “old house” to continue as a “great old house.”

5. Residents may be heard who have matters to discuss that do not appear on the agenda

Henry King, 36 Coolidge Avenue, inquired on the progress concerning the Beaver Swamp Brook project. The City Manager said Harza has agreed to run a new model and he would let everyone know the results which should be available in about a week. Councilman Pratt wondered why he couldn't be told what the elevations on both sides of the brook were before the plan, what was called for in the plan; and what are they now? The Mayor said the real question is: is something different happening now and why? He said everyone would like to know what happened. Both Councilmen Ball and Seitz agreed staff should be directed to find the answers. City Engineer George Mottarella said the project really belongs to the DEC and Harrison; that we should see the plans soon. Mr. King expressed concern that the original plans from Malcolm Pirnie kept changing so perhaps there is no specific plan. *Debbie Jurs, 20 Hunt Place* and her mother *Mary* expressed their continuing distress about the increased amount of water in their back yard.

6. Discussion of Cingular lawsuit resolution

Corporation Counsel, Kevin Plunkett reiterated that Judge Briant has encouraged settlement of a lawsuit between Cingular and the City of Rye over the location of a cell tower and has urged both parties to settle on an alternative location. He said discussions are on-going, particularly relating to height and terms of the lease; that all parties will continue to meet; that additional comments can be heard at the next Council Meeting on November 15th and they will meet with the Judge on November 17th. He said comments had been received from the Planning Commission and the Board of Architectural Review and a public notice had been sent out to all appropriate neighbors. No members of the public were present to make comments.

7. Public hearing on proposal to restrict those with Merchant Parking Permits from parking in the rows closest to the stores

Mayor Otis reported that Corporation Counsel has determined that making changes in the location of where merchants can park required a local law rather than a resolution. Therefore, the public hearing will need to be reset for November 29th and the public notice for the proposed local law reissued.

Councilman Hennes made a motion, seconded by Councilman Fahey and unanimously carried, to adopt the following resolution:

WHEREAS, the Council wishes to amend Chapter 191-47, Parking fees; proper display of parking tag or licenses, of the Code of the City of Rye, particularly with respect to the allowable location of Merchant Parking; and

WHEREAS, it is now desired to call a public hearing to discuss a proposed new law; now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on November 29, 2006 at 8:00 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

**PUBLIC NOTICE
CITY OF RYE**

**Notice of Public Hearing to amend Chapter 191-47, Parking fees;
proper display of parking tag or license, of the Code of the City of Rye,
particularly with respect to the allowable location for Merchant Parking.**

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 29th of November, 2006 at 8:00 P.M. at City Hall, Boston Post Road, in said City, at which interested persons will be afforded an opportunity to be heard concerning a proposal to amend Chapter 191-47 Parking fees; proper display of parking tag or license of the Code of the City of Rye, particularly with respect to the allowable location for Merchant Parking.

Copies of said proposal may be obtained from the office of the City Clerk.

Susan A. Morison
City Clerk

Dated: November 20, 2006

8. Discussion of establishing Police – Court Building Committee

Mayor Otis said it was time to establish a committee to start studying the future of the Police and Court facility. Councilman Pratt wants to expand the scope of the search for alternative sites to include places like Disbrow Park and Theodore Fremd Avenue and he wants to know all the economic factors. The Mayor said historically people want their police station to be near the Central Business District; that there has been objection to other sites from neighbors, and that some options (such as the old school building on School Street or 11 Elm Place) have been lost. Councilman Fahey suggested two committees (one to study the needs and the second to study the solution), but the first area is already well underway as a 1999 needs analysis prepared by Kaestle Boos Associates Inc. is currently being updated and should be ready by early December. Councilman Cunningham suggested including the head of the Traffic and Transportation Committee to insure that the committee have a good balance. The Council

agreed that they should move ahead with the plan and asked the City Manager to get back to them with a resolution officially establishing such a committee.

9. Bid award for Remote Sewer Televising Equipment with Trailer

City Manager Shew reported that upon additional review by the City Engineer and the DPW staff none of the three bids should be accepted for the remote sewer televising equipment with trailer so the original recommendation to accept the low bid had been rescinded.

Councilman Fahey made a motion, seconded by Councilman Hennes, to adopt the following resolution:

RESOLVED, that all three bids submitted for Contract #2006-04, one (1) Remote Sewer Televising Equipment with Trailer, be rejected and that the specifications be rewritten to be less proprietary.

ROLL CALL:

AYES: Mayor Otis, Councilmen Ball, Cunningham, Fahey, Hennes,
Pratt and Seitz

NAYS: None

ABSENT: None

10. Miscellaneous communications and reports

There no miscellaneous communications and reports.

11. Old Business

Councilman Cunningham inquired again about the publication of all minutes for Boards, Commissions and Committees on the City's web site. City Manager Shew reiterated that all minutes are filed with the Clerk; that most minutes are taken by volunteers who know they should submit minutes within two weeks, but may not have the capability of putting the minutes on the web; and that agendas do not, by law, need to be reported. Councilman Cunningham said people should know when budgets are being discussed and Councilman Pratt said it was bothersome to him that the enterprise funds were developing business models behind closed doors.

12. New Business

There was no new business to discuss.

13. Draft unapproved minutes of the regular meeting of the City Council held October 18, 2006

Councilman Hennes made a motion, seconded by Councilman Fahey and unanimously carried, to approve the minutes of the regular meeting of the City Council held October 18, 2006 as submitted.

14. Adjournment

There being no further business to discuss, Councilman Hennes made a motion, seconded by Councilman Fahey and unanimously carried, to adjourn the meeting at 10:45 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk