

**City Council Questions/Staff Responses**  
**Monday, August 27, 2012 City Council Agenda**  
**As of August 26, 2012 at 9:21 am**

**Alderman:** “Bernie” Anderson

**Question/Comments:** “I have no questions at this time.”

**Work Session:** “Miller Park Zoo Master Plan Funding Alternatives”

**Alderman:** “Rob” Fazzini

**Questions/Comments:**

1. “Since the Miller Park Zoo Society admits to not having a track record to raise large sums of money (page 1), will a fund raising consultant be hired to guide the process?”

**Staff Response:** The consultant has recommended that to the Miller Park Zoological Society. The Society Board will make final determination on that suggestion.

2. “What is the source of Education fees of \$85,000 noted in the Pro Forma Projections?”

**Staff Response:** Educational classes and programs held at the zoo. The zoo has an Educational Coordinator on staff.

3. “What was the source of the “possible public discomfort/ill will from the 2000 planning process” mention under Threats on slide 5?”

**Staff Response:** There was concern of a total renovation of Miller Park in a planning process in 2000 that would have removed almost all interior roads of Miller Park. The 2000 plan did not include the zoo.

4. “Shouldn’t cages too small for the large animals be listed under weaknesses on slide 4?”

**Staff Response:** After a very thorough inspection for Association of Zoos and Aquariums (AZA) Accreditation, all Miller Park Zoo Animal Exhibits meet and/or exceed the standards.

**Consent Agenda:**

**Alderman:** Mboka Mwilambwe

**Item: 6D:** “Amendments to Chapter 21. Refuse Code”

**Question/Comment:** “Is it a matter of legal requirement that procedural things like times and days of collection be a part of the Ordinance? If not, I am thinking that by keeping the Ordinance broad, we would not be in a situation where the Ordinance has to catch up with staff practice, particularly when citizen habits can dictate how the City responds. It may also save time for staff that has to review these, in some cases, i.e. City Council meeting times, etc...I’m looking forward to the response and if I am wrong, it’s a chance for me to learn something.”

**Staff Response:** The main reason the Ordinance refers to times when garbage may be set out for collection is because the City needs the authority to penalizes violations by a fine, if

necessary. Without a designation of times in Ordinance form (from 2:00 pm the day before collection to 6:00 am the day after collection), the City has no way to enforce the prohibition, which could result in complaints.

**Alderman:** Mboka Mwilambwe

**Item: 6E:** "Amendments to Chapter 21. Refuse Code"

**Question/Comment:** "Is it a matter of legal requirement that procedural things like times and days of collection be a part of the Ordinance? If not, I am thinking that by keeping the Ordinance broad, we would not be in a situation where the Ordinance has to catch up with staff practice, particularly when citizen habits can dictate how the City responds. It may also save time for staff that has to review these, in some cases, i.e. City Council meeting times, etc...I'm looking forward to the response and if I am wrong, it's a chance for me to learn something."

**Staff Response:** Same response as 6D above-Alderman Mwilambwe).

**Alderman:** "Rob" Fazzini

**Item 6D:** "Amendments to Chapter 21. Refuse code"

**Question/Comment:** "Does the \$100 and \$400 fees per lot and per acre, respectively, cover all city costs? If not, should we consider at least covering all costs?"

**Staff Response:** Section 800.11 of City Code which discusses administrative expenses due from nuisance abatement was not recommended to be changed at this time. These minor changes recommended in 6D were only intended to deal with modifications due to automated collection. At such time that the City does a comprehensive fee assessment, which will include analysis of direct and indirect cost, this fee would be reviewed and recommended to be changed as warranted.

**Alderman:** "Rob" Fazzini

**Item 6E:** "Amendments to Chapter 21. Refuse code"

**Question/Comment:** "What is the alternative for garbage pickup for homes currently on the four alleys being deleted from the list? Shouldn't there be some mention of how the City will handle replacement carts in Ordinance being proposed?"

**Staff Response:** The City will be sending letters to the residents on these alleys to work with them on their refuse placement. The Ordinance does not need to mention the handling of replacement carts since this will be a practice implemented by the Public Works Department. Staff will work with the residents to repair damaged carts and/or changing small carts to larger carts or vice versa.

**Regular Agenda:**

**Alderman:** “Rob” Fazzini

**Item 7B:** “Change Order #1 for Police Department Parking Garage Repair Project

**Question/Comment:** “Who is responsible for the poor quality of concrete? Do we have the right to collect from that company?”

**Staff Response:** During the construction phase of a building, concrete is often tested for proper strength and/or composition. Poor concrete is generally rejected and work redone as necessary. At this time, there is no way to know if the concrete was substandard when the deck components were delivered or if the deterioration is based on use and time. Staff believes it to be a combination of both. Any warranty period on the building (usually one year) is well past.

**Alderman:** “Rob” Fazzini

**Item 7C:** “Request to Waive Bid and Replace Fifty-four (54), Scott AP75 Self-Contained Breathing Apparatus (SCBA) from SCOTT, a Sole Source Provider”

**Question/Comment:** “Why approving waiving the bid process when we already received the cost estimates from several companies?”

**Staff Response:** The Council Memo presented many challenges based on the operational issues it contains and the request for more information be added with each submission. Staff will try and address these again. Fire Department Staff recommended purchase of Scott SCBA for the safety and compatibility issues addressed in the Council Memo. If another brand was to be used, all SCBA components would need to be changed out, resulting in a much larger purchase and cost. This was also raised in the memo, but the question was raised “is Scott the only brand that there is?” The answer is “no.” Staff gathered cost and availability information from the manufacturers that Staff were aware of. Avon company is a UK based company with limited retailers on both coasts, which represents both a training and service issue. Staff is not aware of any Fire Department in the State that are using their equipment. Survivair (a Honeywell company) is not selling to any new customers unless they do not need a safety device known as a PASS device on their units (which Staff is required to provide). This is a result of some type of technical issue they are having with these (letter attached to Council Memo). Draeger did not provide a quote, but Fire Department Staff obtained individual unit cost from them (attached to Council Memo) and a quote for all equipment needed was obtained from MSA (attached to Council Memo). This information was provided to answer the question on use of other manufacturers. It was also pointed out in the memo that the City would need to purchase additional equipment if manufacturers were changed since the Fire department presently uses Scott. The estimated cost in addition would be about \$75,000 to \$85,000. The next question was “why didn’t any other Scott Vendors submit quotes?” First Scott SCBA comes in two formats, firefighting certified and non-firefighting SCBA. Non-Firefighting SCBA is

available through many safety vendors such as Grainger. Staff cannot use these because they are not certified for firefighting use. Scott only authorizes MES to sell their firefighting certified SCBA equipment. As such, Staff supplied the sole source provider document from Scott SCBA. Since citing sole source seems to have a negative connotation, Fire Department Staff researched buying these through a Government Purchasing Organization (GPO). These are designed to save Government Bodies on purchases and are looked at as a favorable way to purchase items without going to bid. In this case, Staff could have purchased under the GPO agreement but it would have cost almost \$75,000 over the quoted price. Meaning that Staff was not able to get bids on Scott brand firefighting certified SCBA from anyone other than MES. Although Staff collected the cost information above, it was not received as part of a formal bidding process. This is why Staff is respectfully requesting that the bids be waived.

Prepared by,  
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