

Wilmington City Council met in regular session on Thursday, December 4, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, December 4 meeting of Wilmington City Council to order, please.

The Pledge of Allegiance was given.

Roll Call: Jaehnig, present; Wells, present; Peterson, absent; Wallace, present; Popp, present; Mongold, absent; McKay, present.

Assistant Chief Weyand was also present.

A motion was made by Wells and seconded by McKay to excuse the absent members. Motion passed.
Councilpersons Peterson and Mongold excused.

Councilmember McKay- Mr. President, we have an amendment we need to make to the minutes, as they are in front of the council members. I think you have the corrections.

President of Council-Fred Ertel: I have the corrected copy.

Councilmember McKay - And it is on page 4 under Judiciary, we were supposed to have just the third and final reading which is what we did, but the motion and the verbiage does not follow that. So, should we read what you have in front of you?

President of Council-Fred Ertel: Sure, this is Judiciary Committee, starting under that heading, Committee Chair McKay, under Judiciary, we have the ordinance regarding ward boundaries of the city due to annexation and we would like to have a third reading on that ordinance tonight. Motion was made by McKay and seconded by Peterson to give third reading only on An Ordinance Amending Codified Ordinances §§103.02.03, .04 and .05 Establishing Ward Boundaries in the City of Wilmington. Motion passed.

Director of Law read the ordinance by title only.
Motion was made by McKay and seconded by Peterson that the ordinance be passed as read. Motion passed. President of Council declared Ordinance No. 4810 passed as read.

Councilmember McKay: Mr. President I would move that the minutes be amended to read as you just read.

Mr. President-Fred Ertel: Okay, is there a second?

Councilmember Wallace: Second.

Mr. President-Fred Ertel: Is there a second, all in favor signify by saying aye. Opposed nay? Okay, the minutes are amended, now do I have a motion for acceptance?

A motion was made by McKay and seconded by Wallace to approve the minutes of the council meeting of November 20 as amended. Motion passed.
Minutes approved as amended.

President of Council – Fred Ertel: Okay at this point we would like to take a look at a third reading on an Ordinance Amending Parts of the Chapters regarding Junk Yards, Junk Motor Vehicles, Towing Yards and Towing Operations. This is the third reading. Is there any discussion?

A motion was made by McKay and seconded by Popp to give the third reading only on the ordinance Amending Parts of Chapters 1131.31, 1157.013, 1157.023, 1163.04 and 1165.02 of the Codified Ordinances Relating to Junk Yards, Junk Motor Vehicles, Towing Yards and Towing Operations, as amended.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by McKay and seconded by Popp that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4811 passed as read.

President of Council-Fred Ertel: Next, we will take a look at the first reading, since we are absent two persons, first reading on a resolution Appointing a Member of the Income Tax Board of Review.

Councilmember McKay: Mr. President, that item was heard under Judiciary and we have agreed that with recommendations of the Income Tax Board, that David Hockaday should be appointed as that member so, is there any discussion?

A motion was made by McKay and seconded by Popp to give the first reading only on the resolution Appointing A Member of the Income Tax Board of Review and Declaring an Emergency.

Motion passed.

Director of Law read the resolution by title only.

Councilmember Member McKay requested that second and third reading be on the agenda for the next meeting.

President of Council-Fred Ertel: Okay, that completes my portion of the agenda, Mr. Mayor.

Mayor Raizk: Thank you, Mr. President. I would like to recognize someone for an outstanding job, more than an outstanding job. Last year Rob started talking about a Holidazzle Parade and I thought, "Well go for it," but I had my reservations, but it ended up being an outstanding event and this year was just phenomenal, building on it. I would really like to recognize Rob Jaehnig, who has the enthusiasm all the time to put these types of things together. I know he is not the only person, but at the same time, he always believes that we can be the best we can be and be better than what we think we are. Rob, I really want to congratulate you for an outstanding job in kind of pushing this, helping everybody put this together, and I knew you had a lot of folks out here tonight so I'm going to turn it over to you and let you thank them.

Councilmember Jaehnig: Thank you, thank you very much. Holidazzle was an incredible event this year. Trevor, who was our chair of our committee, pulled off some amazing logistics, as always to get everything set up and in place in time as we start to move down the street. I don't see Michael Fabel or Connie here, who were in charge of our entertainment; all of the different venues downtown that went off without a hitch, and helped get off a 5 K run with the help of Get Fit, two runs in three days. We were told that wasn't possible' we had over 200 people running the Holidazzle 5 K so we definitely have some runners in the area. We had Tammy McKay, who worked with all of our newsprint and getting the word out to the public and so forth. Steve Brown our connection with Main Street, who was our backing to get it off the ground. Sherry Murphy was instrumental in the children and children events. Judy Kirchner Davis and Barb Babb in getting all of the vendors in line. Cindy Shivers, the Merry Tuba Christmas, and it goes on and on. But I think we have a lot of people, my wife and her Clinton Leadership group added an art venue to this year, which was a nice addition and did a bunch of surveys. One of the things we decided the very first year is the only way to get better is to know what people want and she started surveying people last year and this year I think you got 250 surveys filled out maybe.

Mrs. Jaehnig: Inaudible.

Councilmember Jaehnig: If you were involved in the Holidazzle Committee, parade or anything, please stand, cause I see a lot of people out there, but please stand.

(Applause)

Steve Brown: Mr. President, may I make a comment also.

President of Council-Fred Ertel: Certainly.

Steve Brown: In return, we would also like to thank the city for your support, for your cooperation, specifically the Service Department, Safety Department; I know it was a challenge. I appreciate you stepping up and meeting that challenge on behalf of, not only the Main Street but of the city. Thank you very much for your support, we greatly, greatly appreciate it. Things like this are so difficult to pull off but with cooperation of everyone. We did have that. If we didn't have that cooperation it may be so difficult, we have heard this from other communities that they just can't do anything. We see this that we would continue this cooperation year after year, continually building upon what we have established. Rob, I agree with the Mayor that you done a fantastic job on the parade end of it. I appreciate you and your cohort Molly for all that you have done to pull the parade off. I wish it could be warmer during that time of the year. At least you did bring that heater (laughter).

Rob Jaehnig: Trevor complained that it went too fast.

Steve Brown: That's true, but thanks to the city; we really appreciate your cooperation in this.

Councilmember Jaehnig: Steve brought up a very good point I was going to get to, Molly Dullea from the General Denver, my co-chair, and I am pretty scattered and she keeps me on the straight and narrow, keeps me organized and definitely would never pull it off with her steadying hand in regards to it. Do we have anybody from the FFA here? I'm afraid we don't. The Wilmington FFA and the Wilmington High School Honor Society or association really came through for us this year. We had 60 FFA kids working the high school to put the parade in order and another 10 honor students that carried I'm sorry 12, carried the banners in the parade, took care of the parade marshals and helped to organize that. It is the school involvement that really has made this event a real possibility. If we didn't have that type of manpower, it would be very difficult. We did a little tabulating the day after Holidazzle and we had 3,023 participants in the parade. We put 3,000 people down the street and that's how you end up with crowds that we had by putting that many people involved and so I thank everybody that was involved and the city for its support. But it is a wonderful gift for the citizens. Thank you.

Mayor Raizk: Thank you Rob. Just an outstanding event and really shows what the kind of community that Wilmington is and has been and can be. I just, to see the crowds on the street was just amazing. Do we have a real good estimate at this point, I know it, had to be at least doubled and possibly more than

Councilmember Jaehnig: We were talking and we felt it came in between 10,000 and 11,000.

Mayor Raizk: I would say that would have to be right.

Councilmember Jaehnig: What really threw us was the 1,000 to maybe even as much as 1,200 people at Clinton Memorial Hospital.

Mayor Raizk: Yes.

Councilmember Jaehnig: That area was just swamped.

Mayor Raizk: It was just such a great job by everybody, thank you all.

Mayor Raizk: I have a couple of other items. A little bit of bad news, I received word late this afternoon that Bill Galvin passed away. Bill was a friend of mine. His family, of course, owned the Wilmington News Journal and many other papers and of course, our Galvin Park, part of our city parks systems is named after his family. Bill always donated every year to the parks system to help along with that effort and always took an active interest in it. The condition that it was in or if he thought of new ideas and he always shared them with Scott and myself. He died suddenly, no one knows, just in his sleep. He was not ill so it is kind of a shock. But Bill, although he lived in Columbus

for lo these past few years he considered himself a Wilmingtonian and always took an active interest in the community. We are going to miss him.

Mayor Raizk: You all got this red flyer so I just make sure you remember the City Christmas party. Another note that, Sunday after the parade I carried that cold through those hours outside, so Sunday I stayed home wrapped in a blanket and there was an article about Wilmington in the Cincinnati Enquirer, a very good article. Later on in the later afternoon towards early evening, I got a phone call from a lady. She introduced herself, I believe as Connie Sims. She was a nurse practitioner in Cincinnati and after reading about it, she said I just can't stand thinking about some of those kids up there not having Christmas presents. She had taken the time to get my home phone number from directory assistance and gave me a call at my home. She said she wanted to get in touch with the Ho Ho Shop and she said we have a group of us that are nurse practitioners, we are also associated with a hospital doctors group and we want to make a donation to the Ho Ho Shop and Laura hooked her up on Monday morning and they did make a donation to the Ho Ho Foundation. But there is a lot of stories like that out there and I'm sure maybe some of you have your own. But it really restores your faith in humanity to think that a lot of people care about us and it is important. It is important that we continue to care about each other. I just wanted to bring you up to date on that.

President of Council-Fred Ertel: Thank you, Mr. Mayor. Let me ask a question before we move into committee reports. Rob and all the people that are involved with Holidazzle, Mr. Hufenberger is here, will it be appropriate for a group picture for the paper.

Councilmember Jaehnig: I don't think so, let me tell you why. The Holidazzle Committee feels that it is not about us. It is about the event, it is about the city and really none of us are really looking to get our pictures in the paper. While it would be a very nice offer, the committee agrees with me, don't they?

President of Council – Fred Ertel: I see a lot of shaking heads out there, very good, thank you.

Mr. President, somebody who was left out, if you will just allow me, is the Wilmington News Journal and their coverage and photographs and I would like to thank them here, too.

Councilmember Jaehnig: We could take a picture of Gary.

President of Council – Fred Ertel: Okay, moving into committee reports.

Asset, Acquisition and Use-Committee Member McKay: No report.

President of Council-Fred Ertel: Okay. Thank you so much. Mr. Auditor.

Auditor-David Hollingsworth: No report Mr. President.

President of Council–Fred Ertel: Finance Committee.

Finance Committee Member McKay: I will be reading those items tonight and of course, we can only do one reading each of these items. The first has to do with, kind of a housekeeping measure to establish a CDBG Fund for funds that we actually already approved so this is just allowing us to do that.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Establishing A New Fund.

Motion passed.

Director of Law read the ordinance by title only.

Committee Member McKay requested that second and third reading be on the agenda for the next meeting.

Committee Member McKay: The next item is ordinance making supplemental appropriations. Are there any questions?

A motion was made by Mr. McKay and seconded by Popp to give the first reading only on the ordinance Making Supplemental Appropriations.

Motion passed.

Director of Law read the ordinance by title only.

Committee Member McKay requested that second and third reading be on the agenda for the next meeting.

Committee Member McKay: The next item is ordinance making miscellaneous transfers.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

Director of Law read the ordinance by title only.

Committee Member McKay requested that second and third reading be on the agenda for the next meeting.

Committee Member McKay: The last item is our ordinance for our city budget this year and are there any comments prior to voting on this.

Mayor Raizk: Councilmember McKay, if I might make a comment. We have been working very hard over the last two months on this budget realizing that we need to be as circumspect and as good stewards as we possibly can. As we approached the budget, we looked at trying to maintain at least what we did last year and no more. We realized that with the current sources of revenue, some of which have been eroding, we realized that that couldn't happen. So we went back and we asked for an additional 10 percent cut and then we have also taken the step and we met with the employees, first with our two bargaining units and we have received and we have agreed in principle with employees who were scheduled to receive a 4 percent pay increase this year that we will not have any pay increase. In return, we should be able to keep everybody who is a full time employee employed and our budget reflects a considerable difference from last year, considerable cut. We think the measures that we have taken in both spending and partnering with our employees and I want to publicly thank them. They understand and they are willing to work with the city that we can come with a budget that will try to insure as much carry over as we possibly can so that not only will '09 be in sound fiscal condition, but also looking forward to 2010 when things might get a little tighter so that we might be able to make sure that we can preserve the operations of the city and not cut services of the citizens, but still perform efficiently. I think that it is important for council to know that we have taken those steps; I think it is important for council recognize that the employees themselves in this manner are contributing to this budget and I think we have got this in a shape where we can all live and work through the difficult times.

Committee Member McKay: Thank you Mr. Mayor, any other comments?

Scott Kirchner from the audience: Will the elected officials be volunteering to work for a \$1.00 a year in respect of the sacrifice made by the unions and public employees to also additionally help the budget, that's just elected officials?

Mayor Raizk: We haven't discussed that since their salaries are fixed and can't change; they don't have any increases as the employees have had. So only when it comes up for election or they can't do it while they are in office. The other situation is that most of the elected officials would not receive their PERS if it was below, if they didn't their contributions so while they do not receive an increase when the other employees get it, the employees are giving up their increase but they are at least maintaining their present level. We did not look at that because, especially because of PERS contributions that they would be effected.

Scott Kirchner: I have concern that we have asked people to risk their lives for our safety in this community and our elected officials aren't willing to also sacrifice as well. Police, fire put their lives on the line everyday for the citizens in this town and each of you has an outside job.

Councilmember Jaehnig: I beg to differ with you on that, Scott, since I am currently unemployed this is the only income that I have.

Mayor Raizk: There isn't any increase that council members or whoever or myself or Geoff, David, or Kathryn could give up because we don't get an increase on a yearly basis. That is what the employees have done is that they are not losing any income they have from today, they are foregoing their four percent projected increase that they were going to get.

Scott Kirchner: It is just a question of whether or not as elected officials you are willing to reciprocate.

Committee Member McKay: Are there any other comments?

President of Council – Fred Ertel: Yes, we do that every year Scott, we haven't had a pay raise for how long?

Scott Kirchner: As I repeat it is a part-time job, I had it for three years myself, Fred.

Law Director Kathryn Hapner: Sixteen years for my office.

President of Council-Fred Ertel: Sixteen years for her office, how many for yours?

Mayor Raizk: Twenty-five, I think.

President of Council-Fred Ertel: Twenty-five, I think that speaks volumes about people who volunteer. Thank you. Okay, Mark.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Making Appropriations for Current Expenses and Other Expenses and Other Expenditures of the City of Wilmington, Ohio During the Fiscal Year Ending December 31, 2009.

Motion passed.

Director of Law read the ordinance by title only.

President Ertel said he assumed the second and third reading would be on the agenda for the next meeting.

President of Council-Fred Ertel: Are there any issues anyone is aware by only having first readings tonight, will we need a special?

Director of Law-Kathryn Hapner: We always need a special at the end of the year.

President of Council-Fred Ertel: Do you think we can pick that up?

Committee member McKay: We can pass the rest of the agenda items at the next meeting and we will still be okay.

President of Council-Fred Ertel: Okay, thank you. Water Committee, please.

Water Committee-Committee Chair Wallace: No report, Mr. President.

Streets Committee-Committee Member Wells – No report.

President of Council-Fred Ertel: Solid Waste/Recycling Committee

Solid Waste/Recycling Committee-Committee Chair Wells: Mr. President, I have one item on the agenda; the first reading on an ordinance Amending Codified Ordinance §925.24 Concerning Waste Collection Fees and Declaring an Emergency. About three weeks ago, the Solid Waste Committee had our first budget meeting and we reviewed the 2009 budget and it was explained to the committee at that time that we need to have a trash fee increase and if we are going to own a landfill and operate it, there are certain obligations that we have to meet to keep it running. But the downside of all that is that this is going to increase our utility bills and what bothers me is that at this time when we are having bad economic times and we are asking the city employees, the police officers

and firefighters, everybody to take less money. I would like to see the City of Wilmington take less money. And to fully support a trash fee increase, I think that we could beyond just deferring our sewer rate for next year is to take a slight decrease to lower it to offset this trash fee increase and I thought we would have another budget meeting and have a chance to discuss this, but we didn't and it is on the agenda so I just wanted to bring this out in the open and maybe we can have some discussion about this. I think that we are in good enough shape on that fund that we could do that. So is there any discussion?

Councilmember McKay: Do you want to discuss that under Solid Waste or Wastewater Sewer?

Solid Waste/Recycling Committee Chair-Wells: Either one. Anybody have anything they want to ask or say?

President of Council-Fred Ertel: So, in essence, in what you are suggesting, you want to raise the fees in Solid Waste Recycling at the detriment of Sewer.

Solid Waste/Recycling Committee Chair-Wells: I don't want to raise any fee, but it was explained to us that we have to, to operate our landfill. So in these economic times that's going to make an increase in our utility bill, so to offset the increase if we could lower our sewer rates slightly to offset the increase and keep things the way they are for awhile anyway until we see what our future is.

Scott Kirchner: Mr. President if I could, I listened to the tape of the Solid Waste/Recycling meeting, it was not Chairman Wells that brought a recommendation for an increase in waste collection fees, it was the Mayor. And that 20+ percent increase in waste fees is a hardship on this community, period, and I support Councilman Wells in his stand against it. I think the over abundance of profit being driven by the city sewer system more than needs curtailed and could more than compensate for what he is talking about.

(More than one individual speaking at a time.)

President of Council – Fred Ertel: Thank you. Thank you. We have before us here a reading, do you think it is best to go ahead in both cases, these are first readings and then we can have a joint meeting between those two committees to see if there is (could not understand next word.) These are first readings.

A motion was made by Wells and seconded by Jaehnig to give the first reading only on the ordinance Amending Chapter 925.24 of the Codified Ordinances of the City of Wilmington Regarding Waste Collection Fees and Declaring an Emergency.
Motion passed.

Director of Law read the ordinance by title only.

President of Council – Okay, looking at then a second and or third reading next time with amendments to one or both, okay.

Solid Waste/Recycling Committee Chair-Wells: Thank you, Mr. President.

President of Council – Fred Ertel: Thank you. Wastewater /Sewer Committee.

Wastewater/Sewer Committee- Committee Chair McKay: The item is a first reading on the ordinance Authorizing the Deferral of Rate Increases for the Year 2009, for a period of one year.

President of Council – Fred Ertel: In essence then, what you are saying is you are deferring the rate increase.

Wastewater/Sewer Committee-Committee Chair McKay: That is correct.

Scott Kirchner: Mr. President, that would be the fourth in a series of increases that he is deferring, if we could clarify.

President of Council – Fred Ertel: Certainly, we are deferring then.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Authorizing the Deferral of Sewerage System Rate Increases Scheduled for January 1, 2009, for a Period of One Year, and Declaring an Emergency.

Motion passed.

Director of Law read the ordinance by title only.

Committee Chair McKay: We will determine how we will move forward on this.

President of Council – Fred Ertel: Judiciary Committee, please.

Judiciary Committee-Committee Chair McKay: Nothing tonight, Mr. President.

President of Council – Fred Ertel: Safety Committee.

Safety Committee – Committee Chair Wells - No report, Mr. President.

President of Council – Fred Ertel: Downtown Revitalization Committee.

Downtown Revitalization Committee – Committee Member Jaehnig: No report.

President of Council – Fred Ertel: Parks and Recreation Committee.

Parks and Recreation Committee-Committee Chair Wallace – No report, Mr. President.

President of Council – Fred Ertel: Ice skating on the pond this year?

Parks and Recreation Committee – Committee Chair Wallace – Not yet.

President of Council – Fred Ertel: Service Director, do you have a report?

Service Director – Larry Reinsmith: Skating on the streets maybe. I just wanted to remind everybody that with the winter months coming on and our short supply of salt that we have taken the position that we will plow all the street, we will plow all the major intersections first and then the side streets second and we will salt all the major intersections, but we will not be salting in the subdivisions. In the case of a major snow event, we will pretty much go back to a normal and treat it like we would under a major snow emergency. We've got about 400 ton of salt in our shed; we've got a commitment on a bid with the county to purchase 1200 tons of salt through the season. Last year it was \$40 a ton and this year the contract price is \$101.20. I talked to ODOT this week. They told us that there are 20 counties in the state that don't have contracts for salt. They've got a surplus and they are going to kind of ration it all. I mean he called us; he didn't know we had a contract, but the contract would be for a \$136 a ton and we would have to pick it up in Hamilton County. It would be quite a haul right there. I was talking to him about this salt shortage and he said the problem was a lot of it has to do with the hurricanes. They flooded all the salt mines down in Louisiana and they flooded the Mississippi so they couldn't get it up here. The salt that they are willing to sell us has come from Chili. You know the other morning we had salt all over the streets everywhere and I did drive around. As long as you drive slowly, you're all right. That is the one thing people are going to have to realize they all are going to have to slow down. And it is just not in Wilmington; it's going to be in Clinton County. They are changing their methods of salting and adding grit to it and throughout the state. A lot of communities aren't going to salt at all either. I'm just telling everybody to slow and drive carefully and we will get through it.

President of Council-Fred Ertel: Very good, thank you. Safety Director.

Safety Director – Nick Babb: No report, Mr. President.

President of Council-Fred Ertel: Thank you. Before you are two reports, Income Tax Report and Auditor-Treasurer Report, what is your pleasure, please?

A motion was made by Wells and seconded by Jaehnig to accept the Income Tax Report-November 2008 and Auditor –Treasurer Report –October 2008.

Motion passed.

Reports accepted as presented.

President Ertel: At this time, I would like to open it up to the general public for anyone to address council while in session. If you would, please come to the podium, state your name and address for the record.

Mark Rembert, 39 N. Wood St., Wilmington, Ohio – Taylor Stuchert 187 S. Walnut St. Wilmington - Some of you have met us, spoken to us in depth and are pretty much up to date with where we are, which is why we wanted to present to council where we exactly where we are for those who didn't get a chance to attend our meeting the other night. Essentially, Mark & I, Mark Rembert and I have started what essentially at the beginning was a grassroots organization that has quickly snowballed into almost a policy think tank that we are putting forth for the city and for the county in response to the DHL layoffs to present an economic strategy that we believe will offer sustainable long term jobs to the displaced workforce in Clinton County and to the counties surrounding as well. It started as a couple of letters to the editor and quickly formed into a policy framework and we feel that it is aligned politically with the state and with the national government and what the incoming administration is proposing towards federal funding for municipalities across the country. Our position is that we wanted to create a community that it will stand up amongst the rest of the country positioning itself to receive this funding towards building towards a green economy. Our policy framework goes into detail about what that entails for Wilmington and Clinton County which Mark has presented. So we would provide you with some of the materials that we put together. I'll sort of outline what we have given you. First is our roadmap to development. You know this began just sort of an idea of how can we frame the discussion of Green Development for Clinton County and we framed it into this idea of Green Enterprise Zone and we got, I guess we got energized response from people and quickly realized that we needed to take this from an idea and start putting it into a framework that would bring the community and our public officials together to begin discussing how you make a development strategy like this possible. The roadmap to development looks at three spheres that we think are essential to this type of development and we have outlined some of the key components, policies and development strategies that we think goes into each of those spheres. Now of course this is just a framework and a lot needs to be filled in, but we hope that it provides sort of the starting point to begin discussing what can be done now and what do we need to do to position ourselves for what we hope will be in some ways a convergence of two really pressing economic needs. The need for Clinton County to provide meaningful and long term employment for the areas' displaced workers and the state's need to position itself as a national leader for the development of green businesses. And when we talk about green and further in that packet, we have two sections that we devoted first to a discussion of sort of what a Green Enterprise Zone or what a Green Enterprise is. There is not a clear definition and as you will see reading this, we are proposing that this be the first Green Enterprise Zone in the country. So this would really be an innovative effort that would allow Clinton County in Ohio to set the standard for a lot of these things. For one, what is a Green Enterprise to provide a little bit of discussion of how we might go about defining a Green Enterprise, we have also included a little bit of discussion on green color jobs. So this is an issue whether a lot of times that's what people aren't familiar with and we are going to work hard to flush those out and provide at least a framework for discussing them. That's what we provided for you today. We have a website, www.energizecc.com that has a lot of information plus a little bit more and we'll continue to work very hard on this. Currently we are trying to take this from sort of a two- man operation and turn it into an actual organization that will begin bringing community members together to really start looking into this idea and you know we hope you will take a look at these materials and we could have you come back and discuss more in depth what were envisioning and how we hope we can begin working with the city and county and the state, even the federal government to hopefully make this vision a long term sustainable economic growth strategy for Clinton County. In reality, not just to save this town and this county, but to really set it up for a long-term prosperous economic future. Thank you.

President of Council – Fred Ertel: Thank you and I might add I had the pleasure of being at your meeting and it was wonderful. To one, hear the discussion and number two all of the enthusiasm and the energy that was in that room. It was very impressive.

Mark Rembert – Thank you.

President of Council-Fred Ertel: Thank you. Okay, any other persons wishing to address council.

Scott Kirchner-261 S. Mulberry St. - I have come tonight after attending the last council meeting to support Councilman Wells in his call that we do not increase the utility bills on our citizens as we face one of the most devastating economic impacts in the country, let alone in our history. I think it is a terrible thing for this council to support this Mayor in over a twenty percent increase in those collection fees. I am concerned. I think we need to reduce sewer rates. I did not support them when they were increased in 2005 and set the increase for the next five years. I do not support them where they are at now. I believe they need to be reduced. So I call on this council to be fiscally responsible as you look at a community that is facing such devastation you have to step up to the responsibility to rein in spending. Along with that, I want to point out, as I reviewed materials that were presented and talked about in that Solid Waste/Recycling meeting, there was an indication that a curbside recycling salary was to be moved to the general fund. Now I have not reviewed tonight's budget, but I will ask was there a line item moved as a recycling salary?

Mayor Raizk: We moved the entire budget for curbside recycling out of the sewer because we are trying to minimize as much as we could. We moved that entire budget for curbside recycling into the general fund away from the solid waste part, giving it a separate line item.

Scott Kirchner: Is there a salary?

Mayor Raizk: It is not a new employee, it is not a new employee it is an existing employee moving it over that is dealing with that so it's taking one away and giving it back.

Scott Kirchner: Okay, I will point out to this council, a fact that I think the Mayor is aware of, there was never an employee hired or developed to take care of curbside recycling. We have never added a body

Mayor Raizk: No, it is not a new body.

Scott Kirchner: For curbside recycling, it existed prior to curbside recycling and unless I am mistaken, as soon as you discontinue curbside recycling that body will exist, so there is no salary. This is a shell game, with money, and that for me is a problem.

Mayor Raizk: It is not a shell game. It is an existing employee that we moved over there. We also transferred an employee that from the Utility Billing Office to another Utility Billing Department, which would be the Sewer Department because we usually share those or move them around.

Scott Kirchner: When you discontinue curbside recycling, and I anticipate, the city is moving to do that.

Mayor Raizk: Why would you say that?

Scott Kirchner: Because the steps that I have seen this council take indicate to me that you are moving to discontinue curbside recycling whether it is in overt way or an underground way.

President of Council-Fred Ertel: Don, are we moving

Mayor Raizk: The program keeps increasing.

Committee Chair – Wells: I don't think our intention is to discontinue curbside recycling.

Mayor Raizk: Not at all and we felt like we needed more money for it so that's why we did that.

Scott Kirchner: Let me restate the questions. If you discontinue curbside recycling, will you remove an employee from the landfill?

Mayor Raizk: We will have to address that when we come to that.

Scott Kirchner: I'll restate the question.

Mayor Raizk: I answered your question.

Scott Kirchner: If you discontinue

Mayor Raizk: I answered your question, we will look at that if

Scott Kirchner: Will you remove that employee

Mayor Raizk: We are not anticipating discontinuing curbside recycling, we are doing that.

Scott Kirchner: I hope that this body continues to be responsible that way.

Mayor Raizk: Yes , that's what

Scott Kirchner: I anticipate otherwise.

Individuals talking at the same time.

Scott Kirchner: When the body wasn't hired and the salary didn't exist prior to curbside and I am concerned to watch us pretend to move costs out of a budget that do not exist.

Mayor Raizk: Well, they do exist.

Scott Kirchner: When I analyze the data from the meeting, you had a 6.5 percent increase in costs of operation of the landfill. On top of that have come to the citizens asking for over 20 percent increase in their rates at a half million dollars of additional flow of cash into the landfill. And to me this is not responsible budgeting at this point (end of tape Side A)

Mayor Raizk: The permit is under consideration and should be done by the first of January.

Scott Kirchner: Now that is not what the Ohio EPA told me this week. In fact, they indicated that it would be the late February at best.

Mayor Raizk: Early March.

Scott Kirchner: March timeframe, you said January 1, so I

Mayor Raizk: I said by the first of January and we are taking steps to try to facilitate that along, Scott.

Scott Kirchner: Do we have current bids to install that vertical expansion?

Mayor Raizk: Yes.

Scott Kirchner: We have bids to begin construction?

Mayor Raizk: Not to begin construction, we have

Scott Kirchner: We have actual costs?

Mayor Raizk: Yes, we have the engineering study and our projected costs.

Scott Kirchner: But we don't have anybody that has agreed to do it for those costs?

Mayor Raizk: Well we can't do it until the PTI is awarded.

Scott Kirchner: So we don't have actual costs, we don't have a Permit To Install and you are asking the citizens to start forking up extra money?

Mayor Raizk: We are going to have to because it has to be done very quickly. The rate comes, the dollars come after the rates collected. I don't understand what you are saying.

Scott Kirchner: You don't even know what it is going to cost you to install

Mayor Raizk: Yes we do.

Scott Kirchner: You haven't bid it yet.

Mayor Raizk: We haven't bid it, but our estimates are pretty good on our engineering estimates.

Scott Kirchner: Correct me if I'm wrong, didn't we have a sewer project that had an engineering estimate and our actual bids came in double, what did that cost for us, this past year or this year actually? Did we not have a project where our costs compared to our estimates doubled or close to doubled?

President of Council-Fred Ertel: Who are you asking that question to?

Scott Kirchner: I'm asking Service Director Reinsmith.

Service Director – Larry Reinsmith: We had one job and we just rebid it, just awarded it, we modified the engineering on it so we could do it cheaper.

Scott Kirchner: It was my understanding there was potentially a project on the east end of town where the engineering estimate and the actual bids and costs were very disparate.

Service Director – Larry Reinsmith: Are you talking Darbyshire?

Mayor Raizk: It came in within the parameters.

Scott Kirchner: You don't think? Do you know the numbers?

Service Director – Larry Reinsmith: No, I don't, but I can always check and tell you.

(Numerous individuals speaking at the same time so it was hard to distinguish.)

Scott Kirchner: Will you tell me on the record?

Service Director Reinsmith: When?

Scott Kirchner: On the record.

Service Director Reinsmith: No.

Scott Kirchner: You're not going to tell me on the record?

Service Director Reinsmith: I don't have the numbers here.

Scott Kirchner: You can bring them to the next meeting.

President of Council-Fred Ertel: Let's make sure that when we have the questions and so on if you could let us know ahead of time so that we can have the answers to them or

Scott Kirchner: Actually, I've got to tell you Mr. President, that question just came up because the Mayor indicated that he had a clear cost available to him.

Mayor Raizk: We have a clear estimate. We don't anticipate it's going to be that much different on the landfill. Most of that is the costs of the vertical expansion; it's not the same as the other kind of costs because we have pretty accurate data on that closure and opening that part. And those costs we've gone over with the EPA. They will be approving our permit; we have answered all the questions. They have given us some methodology to try and get it moved up a little bit, so that we don't have to be moving trash out of the landfill or to be hauling it away. We have explained to them that by the end of January, we'd probably be out of space and we don't want to incur additional costs of hauling that away.

Scott Kirchner: It is simply a concern. How long will the construction take? I mean we're going to ask the citizens to start paying the new bill prior to even having a permit to construct this expansion, prior to even being able to put trash in it. We are going to ask them as soon as Christmas is over to begin paying more so that we can build this, but we don't know what the costs will be for sure because we aren't in the environment where we can bid it. And my concern is that

Mayor Raizk: And we're going along and those costs are projected out over several years, and we have those costs.

Scott Kirchner: When I go back to the 2005 sewer rates that were projected forward for five years, we haven't done any of those major projects to this point.

President of Council-Fred Ertel: Wait a second, you just switched from

Scott Kirchner: I know and my point being that the city's history has been, "Give us the money first; we'll figure out how to spend it later." I don't think these citizens need to be asked to give the Mayor a slush fund in Solid Waste/Recycling. I think we ought to get actual costs.

Mayor Raizk: But we have those.

Scott Kirchner: Actual construction and then we can pay the fees.

President of Council-Fred Ertel: I think one of the things that would be of great interest here . . . those are all discussed in the Solid Waste/Recycling Committee as in the Wastewater. We can certainly invite you to those meetings so that you can get more information.

Scott Kirchner: And I would attend those meetings if I could have. That's why I got a copy of the tape and listened to the meeting afterwards.

President of Council-Fred Ertel: So you weren't in attendance at those meetings?

Scott Kirchner: I was not able to be there due to other commitments.

Mayor Raizk: We will begin spending that right away as soon as we can start the construction. It is a different type of expansion that what we've done before where we actually opened a cell. We will be going straight up and doing that work, but we will be loading trash and be doing it as we go.

Scott Kirchner: The other question that I have when you look at the current economic state, federal government, looking at infrastructure stimulus packages. There are possibilities by the time you begin construction on this you actually would have federal dollars available for it potentially, because it is a city infrastructure.

Mayor Raizk: I don't think so because we are going to be starting right away within sixty to ninety days.

Scott Kirchner: Somewhere around May basically, based on the Ohio EPA's indication of when the permit will be issued.

Mayor Raizk: No, they told us by March and we explained that we would be out of space by the end of January and we have some processes in place and they are going to take a look of moving the permit up. But you know, December is almost gone, Scott. We're talking only thirty days away before we are out of space.

Scott Kirchner: Well, whether or not we are out of space in the landfill is not something that I monitor, but I trust you do.

Mayor Raizk: Yes, I do.

Scott Kirchner: The other issue that I came here tonight to talk about is a concern to me and I think that this council needs to step forward and ask for accountability. It is my understanding that on November 20, Mr. Mayor, I will ask on the record and you can confirm or deny, you misrepresented a television crew into the DHL facility and it was actually a 60 Minutes crew risking this city's future of working cooperatively with DHL to gain control of the airport.

Mayor Raizk: I didn't misrepresent anything.

Scott Kirchner: Did you enter the DHL facility with a 60 Minutes television crew?

Mayor Raizk: No, I entered DHL facility with two producers from 60 Minutes, we did not have a television crew and they did not and were not taking any film. And I did explain that to the people before and they were permitted to come in. We didn't sneak them in or anything like that and they were just looking to discuss and look at the facility and they were with another crew that we were taking around to look at the facility. There were two producers, there was no television crew and we discussed it with DHL and they agreed to let them come in.

Scott Kirchner: So DHL was fully aware that you were bringing members of the 60 Minutes staff onto their facility?

Mayor Raizk: They let us come on, yes. I introduced them, I told them they were here. We talked about it and they let them come through. It was their call, not mine.

Scott Kirchner: So DHL permitted the people that you brought?

Mayor Raizk: Yes, absolutely, cause security wouldn't let us come through if they didn't permit it.

Scott Kirchner: That wasn't what I had heard, but I appreciate you setting the record straight.

Mayor Raizk: Absolutely, and it was not a television crew and it was strictly two producers at that point.

Scott Kirchner: Thank you.

Councilmember Wells: Scott, I would like to say that on behalf of Rob and Leilani and myself when we have these budget meetings and we discuss numbers and everything. We ourselves don't know the validity of these numbers. We don't work day-to-day and know everything that is going on, so it's sort of a matter of trust, the numbers that they give us and what to go by.

Scott Kirchner: I appreciate that trust and I have it in you Councilman Wells and Councilwoman Popp. Councilman Jaehnig, I hope that you share the responsibility that Councilman Wells takes. It is the realization as a former chairman of that committee and a member of this council that there was never a position for curbside recycling and when I saw that that salary was being moved I was concerned that games were being played with numbers on this budget. As I looked at the budget numbers, I saw a 6.5 percent increase year over year and I wondered to myself how can we have such incredible increases, especially when the employees have agreed to not take a pay increase. The majority of the expenses in most of our operations are due to personnel.

So, I have gotta ask the question. Now in reviewing what little I did of the budget tonight, there seems to be some changes between that meeting and now. Well, I appreciate that. My disappointment is that the public's only exposure to that data would have been there and here as I am and I did review it as I said. Now, what I don't know is whether or not the numbers I saw there reflected the phantom salary and the salary I believe of the Utility Billing chair, manager, sorry, I didn't have time to go through the detail, but I'd have to go through and see what you pulled out as far as moving salaries around, moving things to general fund and moving expenses out just so the public is aware that the only expenses to the curbside recycling program are the bags that we put things in and the fuel for the vehicle that already exists and we won't get rid of at the landfill to pick them up. So there are only two expenses.

Councilmember Jaehnig: That would not be correct, because a different truck has to go around and pick those bags up.

Scott Kirchner: Incorrect, incorrect, the bags were used so that existing equipment could pick them up and if I could

Councilmember Jaehnig: It is existing equipment, but it is the second trip around to pick those bags up.

Scott Kirchner: I believe I said fuel for.

Councilmember Jaehnig: Right, but it takes more manpower. Being in the transportation business

Scott Kirchner: It does not, it did not. We did not add a body. They had personnel that had additional time. We had equipment that had additional utilization that was available. The other item, if I could finish, that was an expense is the cost of processing the recyclables. Those are the only three costs associated. The major one of which is the reprocess of the recyclables, sorry.

President of Council-Fred Ertel: I think we are covering already plowed ground if we could. Any other comments, can you sum it up in just a few words?

Scott Kirchner: I think I've gotten there. The citizens don't want an over 20 percent increase in their waste fees and a reduction in their utility bills.

President of Council-Fred Ertel: Thanks – Scott. Okay, any other persons wishing to address council while in session. Okay, do I have a motion?

A motion was made by McKay and seconded by Wells to adjourn.
Motion passed.
Council adjourned.

ATTEST:

President of Council

Clerk