

Wilmington City Council met in regular session on Thursday, January 15, 2009 with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, January 15, 2009 meeting of Wilmington City Council to order, please.

The Pledge of Allegiance was given.

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

Assistant Chief Weyand was also present.

A motion was made by Jaehnig and seconded by McKay to approve the minutes of the last regular meeting as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: That completes my portion of the agenda. Mr. Mayor.

Mayor Raizk: In consultation with the Law Director, since the State of the City is not actually on the agenda I don't have to give it. I wish you had told me that so we wouldn't have to work on it. But it is our traditional time for the State of the City and I will give the State of the City.

Mr. President, Members of Council, Distinguished Elected and Appointed Officials, and Fellow Citizens:

This is my 10th State of the City report and it is unlike any other. In years past, we have enumerated the accomplishments of the past year, set out bold agendas for the coming year, and visioned about our community in various ways. Not this year. The events of the past year have delivered their own terrible message and there is little I can do to embellish or spin that message. We are left to reflect on 2008 and glean whatever knowledge and insight we can. As we review 2008, it is with a profound sense of loss. The loss of so many jobs, certainly, but also the loss of so many illusions about our economic security, the sense that no matter what happens we will never quite be the same again. We feel much as we felt after 9/11, though our losses are not of life and limb, our sense of security has been shaken to the core.

One loss we suffered in 2008 is irreplaceable. In November, former Mayor Dale Minton left us. His story is well known to many: Army veteran, captured during the Battle of the Bulge, POW, survivor, family man, local businessman, public servant. A member of the "Greatest Generation," Dale was the perfect example of the citizen soldier; he served his country, his family, and he served his community. During most of my formative years, he was "Mr. Mayor." I honor Dale Minton, not just for his accomplishments, but for his spirit. It is this spirit, the "I may be down, but I'm not out" spirit, the "I'll take everything you can throw at me" spirit, the "Give me all your lemons and I'll make lemonade" spirit that will turn tragedy into triumph as we face our current challenges. Whenever your resolve weakens, just think about Dale Minton. I do.

In the past, I have mused on these pages about the character of our community. It is no longer a question. I have seen a community come together, whatever our political, social or economic differences, and meet every challenge. I couldn't be more proud to be the mayor of such a community. Each and every one of you have made such a difference. I salute you. Your spirit is alive and well, Dale.

By the efforts of so many people, I am able to once again say that the state of the city is safe, secure, and financially sound! There are so many people to thank this year, but at the top of the list are the employees of the City of Wilmington. These dedicated public servants willingly chose to forego their cost of living increase to help ensure our fiscal health. My thanks to each and every one of you.

I wish to thank all of the city council, the auditor, treasurer, law director, service director and safety director for stepping up and taking leadership roles, especially when demands were made on the administration's time and resources. I wish to thank the Clinton County Commissioners, especially Randy Riley, for their steadfast support, tireless effort and leadership in our present crisis.

I also want to single out two people for special thanks . . . Pauline Buckley, my administrative assistant, has been a rock to cling to in these difficult days. Not only has she handled her normal workload, but also the huge volume of emails, phone calls, media interviews, meetings, etc. with her usual professionalism and a smile on her face. Pauline, you make the impossible seem customary and I thank you. . . Laura Curliss, my executive assistant, is a wonder. Her outstanding organizational skills and her unique talents have made it possible for me to be in two places at once. I can think of no higher praise than that. Her ability to interface with senators, governors, and congressmen, and get them to call us is unique. On top of all of this, she has managed the work of the Economic Task Force since day one. Laura, I can't thank you enough as a friend and colleague.

Finally, I would like to thank Senators Sherrod Brown and George Voinovich, Congressman Mike Turner, and Governor Ted Strickland for their commitment and unwavering support to our community. I would especially like to recognize Lt. Governor Lee Fisher for his leadership and encouragement as he walked with us every step of the way. The bipartisan cooperation of these men and many others has made us all proud to be Ohioans.

At this point, I usually lay out an agenda for the coming year, but circumstances beyond our control are now dictating our agenda. We need to create jobs for our citizens and make sure we have enough resources to take care of our friends and neighbors.

We need control of the Wilmington Air Park to facilitate the creation of those jobs. We have many great assets in our community, too many to list here. But our greatest asset is our hardworking, caring, committed people who come together in times of crisis and have the community spirit to fight back . . . the same spirit that Dale Minton had. I don't know what the future is going to look like. But I know this; because of the spirit of this community, we will succeed and our success will not only be because of what we do, but because of who we are.

Thank you all very much.

President of Council-Fred Ertel: Thank you Mr. Mayor.

Mayor Raizk: I do have another announcement, if I might while I still have this. We received notice on January 8 that our PTI for the landfill has been approved and we will actually receive that on January 25 or thereabouts so, we have already been communicated by the State Department of the EPA that we won't have to move our trash. We will be able to continue. I just wanted to bring you up to date on that. You have seen this flyer, this is sponsored I believe by the Chamber of Commerce, and there is a benefit concert on January 17 which is Saturday night, 6:30 pm at the Roberts Centre and tickets are \$35.00 and this money is called Taking Care if Business and this money is going to be used to help assistance in our area.

President of Council – Fred Ertel: Thank you Mr. Mayor. Committee Reports.

Asset, Acquisition and Use-Chairperson Mongold: No report, Mr. President.

President of Council-Fred Ertel. No Auditor.

Auditor-David Hollingsworth: Absent –No report.

Finance Committee-Chairperson Mongold: No report, Mr. President.

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

Streets Committee-Committee Chair Peterson – We have four items. The first item is legislation changing the traffic control map. Primarily this is the downtown parking map making a few changes. One is primarily we are defining four and two-hour parking spaces. There was some confusion (inaudible). Also, we are adding two 15-minute parking spaces by the city building to enable citizens to pay their water bill and utilities and not have to park at a long distance and walk. Any questions?

A motion was made by Peterson and seconded by Wallace to give the first reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File to Adopt a Revised Downtown Parking Plan.

Motion passed.

Director of Law read the ordinance by title only.

Committee Chair Peterson requested that second reading only be on the agenda for the next meeting.

Streets Committee – Committee Chair Peterson: The next item is an ordinance; we are going to change the map so that we will have no parking on the north side of Hawley Avenue. For those of you that were not at the streets committee meeting, that is very tight on Hawley Avenue. In fact, I guess it is actually impossible to get emergency vehicles down that street. We would like to remove the parking on the north side of the street. Any questions?

A motion was made by Peterson and seconded by Wallace to give the first reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File to Provide for a “No Parking” Zone on the North Side of Hawley Avenue.

Motion passed.

Director of Law read the ordinance by title only.

Committee Chair Peterson requested that second reading only be on the agenda for the next meeting.

Streets Committee – Committee Chair Peterson: The third item is, presently you can make a right turn on red from Main Street to South Street. We have had a number of near misses and actually a pedestrian accident there, pedestrian/vehicle accident. Vehicles are looking to the left when making a right turn on red. We want to remove the right turn on red there; it’s going to make it a lot safer. Any questions?

A motion was made by Peterson and seconded by Jaehnig to give the first reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File to Prohibit a Right Turn on Red From Main to South Street.

Motion passed.

Director of Law read the ordinance by title only.

Committee Chair Peterson: The committee was very concerned about this so we would like a second and third reading on the agenda for the next meeting.

Streets Committee – Committee Chair Peterson: The final item is an ordinance naming the annexed area at 22 & 3 Rombach Avenue. It is currently named 22 & 3 and it should be Rombach Avenue. Any questions?

A motion was made by Peterson and seconded by Wells to give the first reading only on the ordinance Naming that Section of S.R. 22/3 that Extends for 2600 Linear Feet, More or Less, Westward from the Current Municipal Corporation Line on S.R. 22/3 “Rombach Avenue”.

Motion passed

Director of Law read the ordinance by title only.

Committee Chair Peterson requested that the second reading only be on the agenda for the next meeting.

Streets Committee – Committee Chair Peterson: Just an announcement, we do have a committee meeting on February 11 at 5:30 PM.

Councilmember Mongold: Did you get my message about (inaudible)

Committee Chair Peterson: That agenda item we deferred to the next, we did discuss and we didn't have enough information. I wanted to follow up with you. There was some miscommunication and we all had a different view of what you had asked to be added to the agenda. The map that we were looking at didn't, in my mind, match what we were discussing so we wanted to step back and

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

Solid Waste/Recycling Committee-Committee Chair Wells - No report, Mr. President.

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

Wastewater/Sewer Committee- Committee Chair McKay: No report, Mr. President.

President of Council – Fred Ertel: Thank you.

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

Judiciary Committee-Committee Chair Popp: We have one item. We have the first reading on an ordinance Amending Ordinance No. 4794 Establishing Classification and Salary Ranges, Repealing Ordinances and Parts of Ordinances in Conflict Herewith and Declaring an Emergency. You have a letter at your place and (inaudible) that gives a little more explanation on this. Are there any questions?

A motion was made by Popp and seconded by Peterson to give the first reading only on the ordinance Amending Ordinance No. 4794 Establishing Classification and Salary Ranges for Certain City Employees, Repealing Ordinances and Parts of Ordinances in Conflict Herewith and Declaring an Emergency.

Motion passed.

Director of Law read the ordinance by title only.

Committee Chair Popp requested that second and third reading be on the agenda for the next meeting.

Judiciary Committee – Committee Chair Popp: Also, we have a committee meeting on January 28 at 5:30 pm.

President of Council – Fred Ertel: Safety Committee.

Safety Committee – Committee Chair Jaehnig: No report, Mr. President.

Downtown Revitalization Committee – Convener Popp: No report, Mr. President.

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: Are the ski slopes open?

President of Council – Fred Ertel: Service Director.

Service Director – Larry Reinsmith: Absent, no report.

President of Council-Fred Ertel: Safety Director.

Safety Director – Nick Babb: Thank you Mr. President, just a couple of things. I want to thank Chiefs Hatten and Mason for their reports. I urge council to look at what your safety departments have been up to the past year. I am sure you will. A few days ago, we had a very serious house fire on South Walnut Street and I would like to recognize five of our public safety officers this evening. When the call came in Wilmington PD Officers Corey Pratt and Shari Hall arrived on the scene within a few seconds of the call and found the house pretty much fully engulfed with a person inside. They were able to see the person inside the house, but they couldn't get to him. Shortly thereafter, Firefighters Pat McCall, Richard Birt and Lt. John Walker arrived on the scene in the first engine and before they did anything they went in and got this man out with the assistance of Officers Pratt and Hall. The gentleman is still alive, he's in very, very critical condition, but he did survive and I just wanted tonight to recognize these people who put their lives on the line the other day for this individual. Sometimes we don't realize the training dollars that we ask for is a lot of money for police and fire and this is why we do that. These folks do a good job and I wanted to recognize them. Also, I want to recognize Dayton Power and Light for their excellent response. We called them and of course we had the house on fire, the electric wires were, the house was still energized and Dayton Power and Light got on there in just a very few short minutes. Please pass my thanks on to your crews, outstanding job. That's all I have. Does anybody have any questions for me?

President of Council-Fred Ertel: Thank you. Before you, you have a number of reports let us skip down to E, which would be Geoffrey's Annual Income Tax Receipt Summary.

Treasurer-Geoffrey Phillips: You have about six reports before you tonight; the last three items are from the Tax Commissioner. The first three are from the Treasurer and the President said we will take you to the Income Tax Report first, calling attention to our first ever \$6 million collection year in income tax. Income tax collections for the city were \$6,029,497.39 that is about a \$1.5 million dollar increase over 2007 collections of \$4.5. You will notice at the bottom of the report that we are projecting fall off for 2009 in the number that we gave in consultation with the Mayor and the Auditor for the 2009 budget. We are projecting \$4.75 million with the unfortunate exodus of significant jobs from the airpark. But we do want you to be aware that we did cross the \$6 million dollar level in what we expect to be the retraction of that dollar collection in 2009. The first three reports that I brought to your attention are from the treasurer and in my summary of our interest earnings, we had almost not quite 3/4 of a million dollars in interest earnings, which is a very strong year in the last 27 years of our focus in that program, this is the fifth highest tally in that 27-year period. Unfortunately, in the middle of that, I give you a word of caution, most of you have particular investments, and you follow interest rates, the shock to many government entities across the country we're about 1/4 of where we were 12 months ago. We had a CD for the city last week that came due at nearly 4% and one of our local banks, the first bank to quote quoted a rate of less than 1% for twelve months. So a word of caution to the finance committee as we look as general fund items, it's not just going to be income tax, but it is going to be a second of our major potential sources of revenue and interest earnings will be down significantly in 2009. Any questions that your have?

(Could not distinguish which councilmember was speaking): I have one question, on the report when you said we had collected \$6 million dollars, refresh my memory as refunds. Because we have \$6 million we show refund \$59, 229.

Treasurer-Geoffrey Phillips: We had, our net collections were 5.9, a variety of individuals and businesses

Councilmember ?: Are they overpaid and refunded taxes?

Treasurer – Geoffrey Phillips: Correct. Our practice is, if we receive a check at the city made out to the Income Tax Department we deposit it. If you call and say oops we didn't mean for you to get that and occasionally we'll get checks that belong to Wilmington, Delaware, but somebody in a payroll department somewhere in the country sent it to Wilmington, Ohio. We deposit it. We've already had one business request a significant refund for 2009 and we will be back before you in a few weeks to increase our refund allowance for 2009. But that's money, in the case of that refund that we have

had invested. And all that money has been invested up to you justify that it's due back to you. Does that answer your question?

Paul Hunter - I have a question. To hold harmless on personal property, does that end in 09? Other words the money we are getting in lieu of personal property taxes, its going to expire in 2010 or

Mayor Raizk: I think you are referring to the cap tax.

Treasurer - Geoffrey Phillips: Are you referring

Paul Hunter: The personal property tax.

Treasurer - Geoffrey Phillips: Personal property tax

Mayor Raizk: Not the

Treasurer - Geoffrey Phillips: Personal property will affect us to some degree, but will affect the schools much more significantly than it affects us.

Paul Hunter: Its several thousands of dollars.

Treasurer - Geoffrey Phillips: I don't recall the exact amount, but it's minimal compared to the residential property -commercial property tax. The personal property is significantly less.

Paul Hunter: We don't know.

Treasurer - Geoffrey Phillips: No, and the estimates that most governments are being given from the State of Ohio is revenue sharing from the state is going to be down, too. Any other questions? Thank you very much.

President of Council - Fred Ertel: Thank you very much, Mr. Treasurer.

A motion was made by McKay and seconded by Peterson to accept the reports.
Motion passed.
Reports accepted as presented.

President of Council- Fred Ertel: At this time, I would like to open it up to the general public and/or council to address council while in session. If you would, please come to the podium, state you name and address for the record. Seeing no takers, do I have a motion for adjournment?

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

ATTEST:

President of Council

Clerk