

Wilmington City Council met on Thursday, August 20, 2009, with President Fred Ertel presiding.

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

Chief Hatten was also present.

A motion was made by McKay and seconded by Jaehnig to excuse the absent member. Motion passed.
Absent member excused.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Wells to approve the minutes of the last regular meeting, August 6, as received. Motion passed.
Minutes approved as received.

President of Council – Fred Ertel: I have before me the Notice of Legislative Authority from the Ohio Division of Liquor Control for a new D-51 liquor permit. It is from Antonio & Sharon Testa Partnership DBA Mediterranean Restaurant & Café; 53 E. Main St.; Basement Only; Wilmington, OH 45177. This will be on file with the Clerk of Courts.

Councilman Jaehnig: Basement only?

President Ertel: That is what it says. B-S-M-T. That completes my portion of the Agenda. That is all that I have. Mr. Mayor?

Mayor – Mayor Raizk: I don't have an official report tonight, but I would point out the banner that you all were looking at. The college students are coming into town. This is kind of unique – they will be doing work projects all around town on Saturday. There will be over 300 of them at one time, but in different spots. One of the more unique things that they are doing (while they have had Introduction to Wilmington Days before and they've been taken out), they are going to walk this time and experience the downtown areas on foot. Hopefully, the weather will be good and that will go very well. I know that around the community many families are hosting groups of them after their work period, at homes and other places. I was told that there were going to be about 20 of them at my house, even though I am going to be working somewhere else. They are coming over to have lunch and a little refreshment after their work project. I encourage everybody, if you run into the students, greet them and welcome them. They do provide an integral part of our economy and our culture here in Wilmington. That is the one thing I wanted to tell you about. Other than that, I think that is it.

President Ertel: Thank you so much. Committee reports. Asset, Acquisition and Use?

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

President Ertel: Thank you. Mr. Auditor?

Auditor – Auditor David Hollingsworth: Nothing, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have several items. The first is an ordinance establishing a new fund: landfill vertical expansion bond anticipation note fund.

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

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by McKay to pass the ordinance as read.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4861 passed as read.

Councilwoman Mongold: The second item is an ordinance establishing a new fund: the CHIP Program Income Fund.

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

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by McKay to pass the ordinance as read.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4862 passed as read.

Councilwoman Mongold: The next item is an ordinance making supplemental appropriations. There is one small item on this that does not have to do with the Sewer or Landfill Vertical Expansion funds.

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

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by McKay to pass the ordinance as read.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4863 passed as read.

Councilwoman Mongold: The next item is an ordinance making miscellaneous transfers.

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

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by McKay to pass the ordinance as read.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4864 passed as read.

Councilwoman Mongold: The last item tonight is an ordinance requesting an allocation of \$2,700,000 of the National Recovery Zone economic development bond limitation of the County of Clinton, Ohio, and declaring an emergency.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Requesting an Allocation of \$2,700,000 of the National Recovery Zone Economic Development Bond Limitation of the County of Clinton, Ohio, and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by McKay to pass the ordinance as read.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Ord. No. 4865 passed as read.

Councilwoman Mongold: We are tentatively looking to have a finance meeting at noon on September 14. We will let you know. Thank you.

President Ertel: Thank you. Water Committee?

Water Committee – Chairperson Mike Wallace: No report, Mr. President.

President Ertel: Thank you. Streets Committee?

Streets Committee – In the absence of Chairperson Peterson, Councilman Wallace: We have two items on the agenda this evening. We are asking for the second and third readings on a resolution adopting what we had voted on last time. This is on the section of the U.S. 22, Main Street, just east of Dana, to the intersection of Wall Street and on U.S. 22, Locust Street. Are there any questions?

A motion was made by Wallace and seconded by Wells to suspend the rules and give the second and third reading on the resolution Adopting Preliminary Legislation for the Resurfacing, Sidewalk and Curb/Gutter on U.S. 22 (Main Street) from just East of Dana to the Intersection of Wall Street and on U.S. 22D (Locust Street) from Mulberry Street to the Intersection of Wall Street and also Sidewalk and Curb & Gutter on U.S. 22D (Locust Street) from Mulberry St. to Wayne Street (S.R. 73) and Declaring an Emergency, by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Director of Law read the resolution by title only.

A motion was made by Wallace and seconded by Wells to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No. 2157 passed as read.

Councilman Wallace: The second part is the same project. This goes up 68 from Main Street to the northern corporation limit. Are there any questions?

A motion was made by Wallace and seconded by Wells to give the second reading only on a Resolution Adopting Preliminary Legislation for the Resurfacing of U.S. 68 Including Sidewalk and Curb/Gutter from U.S. 22 (Main Street) to the Northern Corporation Limit and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

Wallace requested that the third reading be on the Agenda for the next meeting.

Councilman Wallace: That is all I have.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: No report, Mr. President.

Wastewater/Sewer Committee: Chairperson Mark McKay: Thank you, Mr. President. We have a couple of items tonight. The first has to do with authorization of the Mayor to contract for the construction of Sanitary/Stormwater Sewer Improvements and Pavement Restoration on Nelson Ave. I think Larry and/or the Mayor may want to comment on this a little bit. I know we have at least one other individual who wants to speak before we vote. We are going to ask for just one reading on this tonight.

Service Director, Larry Reinsmith: I know that Councilman Wells had asked some questions yesterday concerning that construction on Nelson Rd. I just did a little checking because I wanted to find a few things out about cost. You were asking about paving and storm system and everything. Everybody knows that condition of that roadway. There are no berms on that roadway. All of the edges of pavement keep washing out, and it is a safety issue. It is a project that rated #2 in District 10 for Issue II projects, out of about 35 projects. It is a good project. However, we have \$250,000 to put into this project. I know you might not think that is a lot of money to a total project of about \$1.8 million, but over the last ten years I haven't gotten that much money in any one year to do local paving projects in the city. It has been about \$175,000 or \$190,000 each year, so it is a pretty good chunk of money. We have done repairs to Nelson Road the last two years; in '07 and '08 we have spent \$125,000 – like \$75,000 one year and \$50,000 the next year – doing full depth repair and getting this roadway ready to pave. Now we are putting in the storm system, which will help preserve that. There are a couple of areas where they are adding 16 inches of asphalt to bring out the dips, get better eyesight vision, and it will be a safer ride down through there. I know the question came up, "How much would it cost to do that?" I spoke with our construction manager. I said, "Dave, if I just pave a 6-inch overlay from one end to the other, what would it cost me?" His estimate was \$249,000. So then we reviewed the itemized estimate by our engineers and we pulled all the pavement-related numbers out of there, and that came up to \$223,000 for the pavement on that project. Storm systems and curb/gutters are pretty expensive. I think that once it is done, it will be a lot safer thoroughfare. It is falling apart. It is in bad shape. We have been meaning to do it for a long time. I wanted you to know that we are going to tear that road up quite a bit with all of our connections going across for all of the catch basins and everything, but overall, it is still going to only cost about \$250,000 to pave that road. But, it really wouldn't do too much good to pave it if we are going to continue to lose it on the edges. It is pretty dangerous. Cars can roll right off of the edge of that, especially in the wintertime. That is about all I want to say about it.

Mayor Raizk: This is a project we have been working on for a long time. As you well know, we have spent \$125,000 over the last two years in anticipation of trying to get some of that deep pavement repair done. We will be cutting across that road in many places as we take the catch basins back and forward. The reality of it is, if we are talking about where we are spending the money, the Issue II money is pavement money. The Sewer Department money is for the storm sewers and the curb and gutter, which are an integral part of conducting the water. If we don't do that, it will just break up again. We have places where it is very easy to go off of that roadway at this point. Nelson Road is one of our most heavily trafficked thoroughfares. It is one of the city's primary north-south connector streets, especially on the western edge of town. It services not only a great deal of industrial traffic, but as well it connects three routes; you've got SR 730, you've got 3&22, and then you've got 73 and then off to the corporation line. It also services a huge amount of residential area for getting around town. If you look at the subdivisions that are in the area – either immediately adjacent or very nearby – that use that roadway, and the school. So, I think it is very important that we get this done. We have an opportunity to do this, and I think we'll really make a great project out of it. Just so you understand, we are asking for one reading tonight on the Nelson project. On the subsequent piece of legislation, we do need three readings tonight. We are going to open bids on the Nelson project tomorrow, so we will have a real good idea of what the hard number is when we come back. One reading tonight is very important, but we do need a second and third, I believe, at our next meeting, which will be in September. The one

reason is, we really can't start because we can't do it prior to the release of the Issue II money, which will be in September, I believe. They give us what is called a Notice to Proceed. We will have our ducks in a row and we'll have a hard number from bidding, which is good. We will be able to go in knowing exactly what the numbers are going to be?

Councilman Wallace: Larry, how many roadways do we have like this with the curbs and gutters. I know the extension of Prairie, Nelson, and what others?

Service Director Reinsmith: Truesdell, 730, going down 68 past Fred's house. There are a couple of things. All of these trenches on all these laterals will be backed up with a flowable fill, which is like a concrete slurry, which will help keep all of those trenches from sinking, like a lot of these projects do. The berms will be almost flat; there will be a slight slope to them. That will make it a lot easier if we want to come back and add sidewalks or bike trails or whatever you want alongside that roadway. You are doing away with those steep ditches, and it is going to be fairly level along the roadways for a safe route. Another thing that is important – the engineer and some of the contractors said they can really get it all done this year. We don't know if they can or not; it depends on when we get that start date. It is kind of critical because Nelson Road is always our detour route. Our stimulus projects, they sell them in January, and they will start the construction right after the break of winter, probably like mid-March. At that point, we are going to have a lot of detour off of Main Street that is going to go down this street. Time does become critical on some of the scheduling.

President Ertel: I have a question about the roadway itself. Is it going to be the standard two-lane or is going to be a wide two lane, or even possibly a three lane.

Service Director Reinsmith: It is two lanes, but it is going to be standard. Right now it is not. It is narrower.

President Ertel: It is going to be wider.

Service Director Reinsmith: We are going to have a turn lane down there.

Mayor Raizk: It is going to be 24-foot pavement, with 12-foot traffic lanes, which we do not actually have now.

Service Director Reinsmith: We run into things like the intersection of Main Street and Nelson. We need to do some reconfiguring there and widen the curve radiuses and things like that. Both projects are clashing right there. That signal is not warranted. They did some research on it. We really need that signal, but ODOT, because it is not warranted, will not pay for the alterations there at that intersection.

Councilman McKay: Thank you very much. I appreciate that. Paul, did you wish to speak?

Paul Hunter: I understand what you guys are saying, but I have my own view that I would like to express. Is the Nelson Road project of such a high priority that we must rush through legislation? We're not rushing through now, but when I wrote this, it was going to be all three readings. We're still moving forward at a pace. I drive on Nelson Avenue almost every day. It's not beautiful, but it is usable, from my view. These are the times that try the municipal economic soul. Can this project be defended in the face of employees passing up scheduled pay raises and even possible layoffs in the coming months and years? Can it be defended in the face of increasing economic strain on the city's residents? As near as I can determine, this off-budget expense, when added to the worthy funding for sewer line maintenance voted on tonight, will remove or obligate around two million dollars from the sewer fund's three million dollar balance. What if a true sewer emergency occurs next year, a sinkhole appears and half the sewer goes down. That could cost a million dollars. I don't know where we are going to get the money then for that. Should the people's sewer fund be used to pay costs that are unrelated to sewer operations. That gets tricky with the storm sewer. Is that a legitimate use for sewer funds. I don't have a legal answer to it. I feel like this could be delayed

until economic times get better. It is hard for me to imagine – I'll have to take your word – that the \$250,000 is going to cover all of the repaving but not the curbs, right?

Service Director Reinsmith: It was 8800 feet times an average 22-foot wide and 750 cubic yard. Just straight numbers.

Paul Hunter: It is my understanding that the need for our action is because of a September deadline for starting the project. Obviously, that is not quite the case. I also understand that there is small street repair grant, which is \$250,000. In my opinion, it would be prudent to delay this desired but not absolutely necessary project for a couple of years or until the economy improves and the street fund can carry its proper share of the costs. Who paid for the storm sewers on Davids Drive, for example? Street tag money or sewer tag money.

Service Director Reinsmith: Issue II and the Department of Development pretty much paid for that project.

Paul Hunter: A better use of the sewer fund surplus would be (and this is my opinion) to pay down debt thus reducing annual costs that now amount to about \$277,000 a year that we are paying on bonds. We are going to accrue new bond debt from this, are we not, of some \$700,000 more or less? Is that not so, that the sewer is going to back up a bond that we are going to submit for the project? That is what was discussed at the committee meeting.

Service Director Reinsmith: Some money is going to come out of...there is a sewer collection line that is not in the cash fund. There is a pot of money there that she is going to take a piece out of there. I thought she was going to try to take some money...

Paul Hunter: In the committee, I was under the impression, at least from Mary Kay, that \$700,000 was going to be added to sewer bond indebtedness. Rather than paying down debt; we're increasing debt.

Service Director Reinsmith: I just know that it is not all cash from Harry.

Geoffrey Phillips: I don't think we're increasing the debt. We have two funds. We have a sewer replacement and a sewer surplus fund. I think that is where the \$700,000 is coming from.

Paul Hunter: So Mary Kay was in error by saying...?

Geoffrey Phillips: It is not additional debt; it's additional sewer funds that are set aside for replacement.

Paul Hunter: Where is that fund?

Geoffrey Phillips: They're right here on the report that council has tonight.

Paul Hunter: It's part of the...?

Councilman McKay: Sewer replacement - \$332,000.

Paul Hunter: That is for the Warren Drive, anyway. That is \$300,000.

Geoffrey Phillips: It is a different \$300,000.

Councilman McKay: There is a sewer surplus fund of \$294,000 in addition to the regular.

Paul Hunter: I haven't seen that. Is it in the summary that we get? Anyway, a better use of the sewer fund, I think, would be to pay down debt and get the rates down. The citizens are hurting and this would be a little mini-stimulus to give them a reduced rate due to reduced debt. To me, the project can be delayed a year or two without significant

harm. The [inaudible] committee could add some information concerning the applicability of using funds from Sewer Collection and expend them on other things. You want to speak to that?

Geoffrey Phillips: I saw Paul's comment on the blog on the News Journal today. Since you are doing one reading and the sewer committee is going to meet, perhaps you might want to look at 923.03 and 923.08, which are the sewer charges that we pay for the sanitary sewer system. That is where this money comes from. I think that's what we all have to be at peace at. Can we use sanitary sewer money for curbs, storms and for a project of this magnitude. I think that is the heart of Paul's question, if I understand what he put on the blog site today and what he said tonight.

Councilman McKay: Thank you, Paul. Any other questions?

A motion was made by McKay and seconded by Mongold to give the first reading only on a Resolution Authorizing the Mayor to Contract for the Construction of Sanitary/Stormwater Sewer Improvements and Pavement Restoration on Nelson Avenue and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

McKay requested that the second and third reading be on the Agenda for the next meeting.

Councilman Wells: Will we have another committee meeting to discuss some of these....

Councilman McKay: We do not have a plan for that, but that certainly is something if council would like [inaudible for transcription]...

Councilman Wells: I think it might be a good idea just to get everybody. I told Paul and I told you...I support this project on Nelson. I think it would be good, but more important than that, we need to do what is right. Do it correctly. I want to make sure that we've got all of the funds right.

Councilman McKay: I'm fine with that. We can pull something together for the next meeting. I know that would be fine. A couple of questions that may be simple...trying to have a transparent administration. The next item is the authorization for the Mayor to contract for the sewer line improvements and restoration on the Warren Drive project. We are going to be asking for three readings on that. These have already been let and we're ready to do them. Do we have any questions or comments on that project?

Mayor Raizk: We got three bids, and from the highest to the lowest there was over a \$110,000 spread. I think our low bid was around \$298,000.

Service Director Reinsmith: \$289,000.

Mayor Raizk: \$289,000. The high one was \$398,000. It was a considerable difference on that. The Board of Control did approve that bid subsequent to this.

A motion was made by McKay and seconded by Wells to give the first reading only on a Resolution Authorizing the Mayor to Contract for the Construction of Sanitary Sewer Line Improvements on Warren Drive and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

A motion was made by McKay and seconded by Wells to suspend the rules and give the second and third reading on the resolution by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read the resolution by title only.

A motion was made by McKay and seconded by Wells to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Res. No. 2158 passed as read.

Councilman McKay: That is all I have, Mr. President.

President Ertel: Very good. Thank you. Judiciary Committee?

Judiciary Committee: Chairwoman Leilani Popp: No report, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Councilman Jaehnig: I am pleased to say we have a couple of items tonight on our agenda. On the first, we are going to be asking for three readings on a resolution to accept a grant. This is a grant that we applied for, for funding to relocate the shooting range, which is something we were going to need to do as Stuckey Farm Park develops and we have the handicap park out there and so forth. Of course, to upgrade to a little bit better opportunity. That is the first one. That is a grant for \$21,352. Nick, do have something you want to show on that or talk about that, or are you good?

Safety Director Nick Babb: If council wants to see what our plans are, we have a map here.

Councilman McKay: Are we still going with the site we discussed the other evening?

Safety Director Babb: There is a field adjacent to that field. I don't know if you can see it on the map or not. We altered it a little bit today. We're moving it closer to the main core of the landfill. We had a meeting today with Donnie Maher. He is going to use his equipment. Some of the grant covers his cost – fuel costs – to make a U-shaped area, which hopefully will be about 20-feet high. The new range will actually be a lot lower than what our range is now, so it will work well. It was closer to 22/3.

Councilman McKay: So that should help with the sound separation.

Nick Babb: We certainly hope so. Then, there is a woods right adjacent to where the range is also, which also should help.

[General discussion regarding shooting range]

Mayor Raizk: If you saw the original spot, we have moved it to the field that would be going more to the north, back towards the landfill. We did this for obvious reasons. It will be a shorter road and it will be more internal within our property. Given the topography and the woods, they will have much more buffer. One of the things that needs to also be addressed is that when we are talking about this berm of a minimum of 20 to 25-feet high, that is a significant improvement over not only what we have but what everybody else has. The Sportsman Club is down to about 7-8 feet. That's not very high. It needs to be much higher than that. Then it is also U-shaped. We think it will be safer, a better training facility for our folks, and also it will be sensitive to the areas around it in terms of noise.

Councilman McKay: It's further away from the residential property.

Mayor Raizk: Right. Actually, if we really look at where we are now, while I don't know about council, but I have received a lot of complaints about noise where we are currently. Technically, we are much closer to a heavily dense residential area than where we are. This is going to be much farther away from that. This should make more people happy.

Safety Director Babb: We are a lot higher where we are now, so we will be lower, plus there is going to be a large mound of dirt around it.

President Ertel: So it is going to be bermed in kind of a U-shape then?

Mayor Raizk: Yes.

President Ertel: Excellent.

Councilman McKay: A lot of people have gone to work on this since the last meeting and have made improvements.

Mayor Raizk: We had a very productive meeting this morning, I think, between administration and the chief and the assistant chief and Nick and Donnie to try to figure out what the best position would be.

Safety Director Babb: Donnie also mentioned that his group also will be using that culvert that the grant is buying in his operation, so it is just not going to be used by the shooting range.

Councilman Wells: There was a neighbor who expressed concern about the safety factor. Has that been addressed?

Mayor Raizk: Yes. We think we are far enough away at this point now that it should not be an issue. It is being positioned not that direction. We believe we have covered all of the bases.

Councilman McKay: But they have not been talked to directly on this. Have we made a call at least and explained what we have done to appease their concerns?

President Ertel: The new plans are available, Nick, in the office?

Nick Babb: We have them here tonight.

Mayor Raizk: We haven't actually marked it out, but we moved the spot, so I think that should be fine.

A motion was made by Jaehnig and seconded by Wells to give the first reading only on a Resolution Accepting Grant Funds and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

A motion was made by Jaehnig and seconded by Wells to suspend the rules and give the second and third reading on the resolution by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read the resolution by title only.

A motion was made by Jaehnig and seconded by Wells to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Res. No. 2159 passed as read.

Councilman Jaehnig: The second item we have tonight is...

Nick Babb: Rob, could I interrupt you on that second item. I don't think we are going to proceed with that this evening. We have been notified by the Byrne grant people that we are eligible for this grant. Assistant Chief Weyand is in the process of answering some of their inquiries. We are not really ready to move forward on that tonight, so I would ask that we postpone that.

Councilman Jaehnig: So, since it is on the agenda, do we need a motion to take it off?

Clerk Laura Curliss: Do want to table it or take it off?

Nick Babb: Take it off. We're not sure what their timetable is. The first grant, we have been awarded that. This is an inquiry. We are eligible for it. We are in the question-answer phase.

A motion was made by Jaehnig and second by Wells to remove item 13B, Three Readings on a Resolution Accepting Grant Funds and Declaring an Emergency, from the agenda.

Motion passed.

Item 13B removed from Agenda.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Leilani Popp – Nothing this evening, Mr. President. I just want to remind people of the concert tomorrow evening from 5-11 pm in the mural parking lot. Come one, come all.

President Ertel: Good weather too! Thank you. Parks & Recreation?

Parks and Recreation Committee - Convener Mike Wallace: No report.

President Ertel: Thank you. Mr. Service Director?

Service Director- Service Director Larry Reinsmith: No report.

President Ertel: Thank you. Safety Director?

Safety Director – Nick Babb: No report. I would like to just draw everyone's attention to the paper tonight. On the front page there was an auto accident. That was our police officer, Scott Baker, who was hit head-on. He is doing well, I believe. Chief?

Chief Mike Hatten: Yes. I called him today and he said he would be in work tomorrow.

Safety Director Babb: Anyway, he got hit head-on. Somebody passed on the double line on a hill, so he is going to be at work tonight. Seatbelts.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by Jaehnig to approve the Auditor-Treasurer Report – July 2009 and the Hotel Lodging Tax Report – 2nd Quarter 2009, as received. Motion passed.

Reports accepted as received.

President Ertel: At this point, I would like to open the meeting up to the general public and/or members of council to address council while in session.

Councilman Wells: The Clinton County Youth Center, which I am a member of the board there, is having an open house on Monday, August 24 from 5 to 7 pm. I know there are some other activities going on that evening, but if you could stop by and just show your support. I suppose everybody knows that the Clinton County Youth Center is at the old Main Building property. From 5-7 pm. You are all invited. Thank you.

Mayor Raizk: I have just a couple of items. I do want to remind everybody about the open house at the Wilmington Transit System facility. We are expecting a good time – casual. I think it is from 11:00 to 1:00. We will be having a little bit of a program at around noon. We are very excited about it. It is the 25th Anniversary of our award-winning public transit system. I do have it in good order that the Mayors who have been involved with that are going to attend. Although Bob Moyer, who originally got it started, Juanita, his widow, is going to attend. Nick Eveland is going to attend and myself. I talked to Nick last night and he is looking forward to it. Bob Holmes is going to attend as well, who was very instrumental in getting those things started. I think it will be a good time and I wanted to make sure that everybody remembers that. I think you have this in your packets tonight, about the foreclosure seminar – Preventing Foreclosure. This is by Freddie Mac along with the City of Wilmington. We are providing the space. I just wanted to make that announcement. It is on Friday, August 28, from 12 pm to 7 pm. Is it going to be in the Moyer Room?

Clerk Laura Curliss: Well, there is a presentation at noon and one at 6:00. Then any lenders or other service providers will be in the lobby during the rest of the time.

Mayor Raizk: We have a number of mortgage lenders signing up to participate. I think, given the current state of affairs with a lot of folks, this is a good seminar, and we want to get the word out. I think I got everything else. That is all.

President Ertel again asked if anybody else from the public or the council wished to address council while in session.

Seeing no one else who wished to speak, President Ertel asked for a motion to adjourn.

A motion was made by Jaehnig and seconded by Wallace to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk