

Wilmington City Council met on March 18, 2010, with President Fred Ertel presiding.

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

Assistant Chief Weyand was also present.

Council gave the Pledge of Allegiance to the flag.

President of Council – Fred Ertel: Thank you so much. I would like to welcome you all to the meeting, especially the young Girl Scouts that are here. If you have any questions throughout the meeting, just raise your hand and I'll be glad to explain what we are doing, because sometimes it goes pretty fast. Anyway, anything that I can do to help you understand the meeting, I will be glad to do so.

A motion was made by Wells and seconded by Jaehnig to approve the minutes of the last regular meeting, March 4, 2010, as received.

Motion passed.

Minutes approved as received.

President Ertel opened the public hearing on the City of Wilmington 2010 CDBG Program.

Whitaker Wright: Thank you, Mr. President. This evening we are going to have the second public hearing for the City of Wilmington's 2010 housing grant or CHIP grant. This year, the City is eligible to apply for up to \$500,000, with the application being due April 1. The City's Housing Advisory Committee met twice in the last several weeks and considered several different possibilities. The first activity they considered and talked about was the home repair activity. It is an activity that allows the city to help homeowners fix one or two major problems with their homes. It would be federal CDBG funding and we would be allowed to apply for up to \$125,000, which would be about 12 households that we could assist. The second activity that the committee discussed is a continuation of a private housing rehab program. That allows the City to help homeowners bring their entire house up to the state's standards. The difference is that instead of spending about \$10,000 on a project, the City can spend up to \$40,000. We would probably do about five houses with the \$200,000 in funding. The third activity that the committee discussed was working with Habitat for Humanity to build two new houses. On the last page of your handout, there is a map that locates their properties. They own two lots: one at 232 Hawley Avenue and one at 540 Belmont Ave. The City will assist them with about \$40,000 for the two projects. The local chapter will probably spend a total of about \$96,000, so it is a good match for the city's funding. The final activity that we talked about within the grant was tenant-based rental assistance. This is a mirror image of the Section 8 program. The committee had quite a discussion about this. We looked at these funds and several members inquired whether or not we would be permitted under the state's rules to take some of those funds for emergency monthly housing payments and use that money to help the shelter house people in motels when the shelter is full. I talked to the state about that activity, and they said that they would not permit it with federal community block grant money. However, the Clinton County Homeless Shelter is a member of the Consortium that is run by Fayette County, and they are eligible for the homeless prevention and rapid re-housing funds. I spoke with the manager of that program and he said that under very strict conditions, the Clinton County shelter can house people in a motel if the shelter is full by using that money. I thanked him, and I will be emailing the shelter tomorrow and letting them know that. I know that those funds are at a premium as well. They are aware that these funds are available. I just want to double-check that they know that they can use it for motel vouchers. Since we could not use the housing grant money for hotel vouchers, we defaulted to using the funds for the tenant-based rental assistance program that would be run through the Housing Authority. That would help possibly 12 households with housing for about 18 months. Finally, we have an allocation for \$1000 to promote fair housing in the city. The program disseminates and holds meetings on fair housing

throughout the city and then with the administration of the program, the allocation is about \$59,000 total. We talked about targeting funds in the community, and on the map on the last page, you will see that we are going to continue to focus on the southeast portion of the city. That is the current target area for Neighborhood Stabilization funding, and we have identified several properties in the neighborhood that will be demolished in the next month. By way of an update, the NSP program is going out for bids to demolish five units in the city. One is on Grove. Another is on West Main, one is on Belmont, one is on Howard, and one is on West Locust. I know a lot of people smiling and are happy to see those are going down. In addition, Habitat for Humanity is evaluating three potential properties that the City could help them acquire and then demolish – vacant structures. One is on Grant, one is on Wall, and one is a recently fire-damaged property on Paris Avenue. They need to approach the owners in a voluntary sale, and it is very much an arm's length transaction. The owner has to agree, and it is a voluntary transaction. In addition, Habitat for Humanity owns a property on Hawley Avenue that they are willing to let the City demolish. I open the floor for questions.

Councilman Jaehnig: Once those demolition bids go out, how long?

Whitaker Wright: I believe they went out on the 8<sup>th</sup> and 15<sup>th</sup>. They should be opening bids at the end of the month and then they will compare bids and then do a contract award, so I am guessing early April.

President Ertel: Okay. Any other questions? Whitaker, thank you so much.

President Ertel closed the public hearing on the City of Wilmington 2010 CDBG Program.

President Ertel: Okay. At this time, that completes my portion of the agenda. Mr. Mayor?

Mayor – Mayor Raizk: Thank you, Mr. President. I have a very joyous thing to do this evening, so with your permission, I am going to scoot out here. I would ask Chief Mason to come forward and for Patrick McCall to come forward. Many of you may have read, as it has been reported in the paper, but we are so proud of Patrick McCall. If you will remember, some time ago there was a fire on South Walnut Street where Firefighter/EMT McCall risked his life, went in through a window, and rescued a citizen, without regard for his own personal safety. He was nominated by a member of his department, Kate Earley, for the Syrian Shrine Heroism Award in Cincinnati. You may have read about those. He was selected to receive such an award. We are very, very proud of that, and we think all of Wilmington should be proud. We appreciate you. Not only are we proud of your award, but I think it is a testament to how your department and your colleagues feel about you. Would everybody stand up who is here representing the Fire Department? I think that is quite a testament, Patrick, of your colleagues and how they feel about you and how they think about your work. So, we would like to give you our own plaque, and then we want you to show off the one you got. "In recognition of Patrick McCall, Firefighter/EMT, on receiving the Syrian Shrine Award for Heroism, March 10, 2010, with appreciation from the City of Wilmington for distinguished service in the protection of our citizens." This is a plaque that has our new bicentennial coin on there, so we would like to give that to you.

Patrick McCall: Thank you.

[Applause]

Mayor: This is the very beautiful plaque that Patrick received. We're very proud of you.

Patrick McCall: Thank you, sir.

Mayor Raizk: Thank you.

[Applause]

Mayor Raizk: Since there is no way to top that, Mr. President, that is all I have.

President Ertel: Very good. Thank you very much. I would like to move into committee reports right now. Asset, Acquisition and Use, please?

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

President Ertel: Thank you. Income tax time, no auditor.

Auditor – In the absence of Auditor David Hollingsworth, there was no report.

President Ertel: Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have two items tonight. The first 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; Peterson, yes; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4903 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance making supplemental appropriations. Item B, we need to change that amount from \$607 to \$260 because this is to reimburse for college tuition and one of the amounts has not received supervisor approval yet, so we need to change that amount.

A motion was made by Mongold and seconded by Mead to amend the ordinance making supplemental appropriations.

Motion passed.

Ordinance amended.

Councilman Wallace: Can I ask a question?

President Ertel: Certainly.

Councilman Wallace: What is “A,” Incidentals, the \$2,000?

Councilwoman Mongold: Those are dollars that we have received from the grant. I believe, (was it air packs, Andy, that we purchased?), after they were purchased, we had this amount, \$2,376 left, so we are just reimbursing the portion of the grant funds we didn't spend. Okay?

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

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; Peterson, yes; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4904 passed as read.

Councilwoman Mongold: That is all we have tonight. Thank you.

President Ertel: Okay. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Streets Committee – Chairperson Peterson: We have no report.

President Ertel: Thank you. Solid Waste/Recycling?

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

President Ertel: Okay. Wastewater/Sewer?

Wastewater/Sewer Committee: Chairperson Mark McKay: No report, Mr. President.

President Ertel: Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: We have one item, Mr. President, the third and final reading on the ordinance adopting the flood insurance plan map and it should have been covered enough. Are there any additional questions in regards to this?

Clerk Laura Curliss: I sent you an email about just a couple of little amendments, a couple of little tweaks from ODNR.

Councilwoman Peterson: So we need to amend it?

Councilman Jaehnig: Right. It had more to do with language than the basis of it.

A motion was made by Jaehnig and seconded by Peterson to amend the ordinance adopting the flood insurance study.

Motion passed.

Ordinance amended.

A motion was made by Jaehnig and seconded by Peterson to give the third reading only on the ordinance Rescinding Codified Ordinance No. 1307, Adopting the Flood Insurance Study of Clinton County, Ohio and Incorporated Areas and Floor Insurance Rate Maps for Clinton County, Ohio and Incorporated Areas, and Adopting Flood Control Regulations and Procedures for the City of Wilmington, As Amended.

Motion passed

Director of Law read ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4905 passed as read.

Councilman Jaehnig: That is all we have tonight, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: No report, Mr. President.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – No legislation tonight, Mr. President, but there will be a lot of good things going on in the downtown this summer to help us celebrate our bicentennial, and I think it is going to be a good kickoff and just a great summer, so stay tuned.

President Ertel: Very good. Parks & Recreation?

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

President Ertel: Okay. Service Director?

Service Director- Service Director Larry Reinsmith: I'll make a few comments. I made these in streets committee prior to this meeting, but just to give you a little update on some of our road projects. Our first project, which will begin April 12, the Nelson Road project, they did about 80% of the storm sewer last year in the fall, so they will start that up on the north end around April 12. The project is scheduled to be finished by June 30. I know we are going to have a preconstruction meeting the first week in April. Schools will be there, and we will be coordinating the efforts of getting busses in and out of that location. I know it has been a long winter with some of those ruts in that roadway, so we will be getting that cleaned up. Our first stimulus project, Main Street, we have a preconstruction meeting scheduled for next Tuesday on that project. I am sure it will start soon after. I don't really know much about it until the meeting, but I did hear they want to start at the railroad tracks and move west on Main Street on curb and gutter and sidewalks and stuff. That project I think is scheduled to be completed on October 1. The North 68/Xenia Avenue project sells on March 25. Our Prairie Road project – we're just now starting the engineering on that. We can't start that project until July 1 – it is a public works project, and we will have that done by the fall too – probably in time to go over that new bridge there maybe – if it ever gets open. So, those are the roadway projects. I had a public works integrating committee meeting last night over in Lebanon. One of the big agenda items for the City of Wilmington was our brownfield project – the Randall/Textron project. We did a self score on that and we scored it at about 51. It went to the state DOD and they scored it a 53. It came back to the integrating committee. They scored it last night and gave it 50 points, so we got the maximum 150 points. There are seven projects in the state right now, \$26 million dollars to be divvied out on those projects, and our project is ranked third. The all seem to think it is a real good project. So, hopefully, we will hear good news here in the real near future on that project. I think that is about it, Mr. President.

President Ertel: Okay. Thank you. Safety Director?

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

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by Peterson to approve the Auditor-Treasurer's Report – February 2010, 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.

Mayor Raizk: I just wanted to point out in your packets you have a piece about an art auction. I think most of you know, but we need to share. Shortly after the *60 Minutes* pieces, people from all over the country were offering their help and their services in many ways. An artist sent...how many boxes?

Clerk Laura Curliss: Well, they were packed in three boxes, but 65 art pieces for the needy.

Mayor Raizk: ...sixty-five art pieces for the needy. What we decided to do was hold an auction. The Board of Realtors are going to help do this auction – auctioning pieces off. We've had local art expert and artist Hal Shunk look at them and he has given what their values might be. They are various qualities but some are rather good and so we think a significant amount of money can be raised. The proceeds from the auction will go to...

Clerk Laura Curliss: The artist wanted it to go to the Homeless Shelter.

Mayor Raizk: The Homeless shelter – he requested that. This is on Sunday, April 11, at 6 pm. The General Denver Hotel is where the auction is going to take place. We want to make sure that that word gets out and everybody gets an opportunity to participate. It is a great cause and to honor this very, very generous donation from this person and honor their wishes. I just wanted to bring that to your attention.

President Ertel: Thank you, Mr. Mayor.

Paul Hunter: 200 Randolph Street. Over four months ago, Mrs. McGee of Doan Street came before council complaining about her neighbor's back yard. I don't know whether you guys remember it all or not. She said that she had been unable to get any action on the deplorable conditions in her neighbor's yard, 362 Doan. I will quote part of what she said. "It seems like nobody hears, you know. I'm talking about the abandoned cars in the back. I'm talking about all of the other debris that is in the back of the house. I think if you lived there, you wouldn't want to look at this all of the time. It's like this. If it is not next door to you, it doesn't matter. Even my neighbors, they tell me, "Poor Dee. I feel so sorry for poor Dee." It's their neighborhood too, but I can't get them to come and address and tell you." Both the Mayor and Larry said that they would look into it. Recently, being aware of the spotty enforcement of zoning and building codes, I made a follow-up visit to the site last week and took the pictures that you see. I contacted Councilperson Peterson because it was in her ward. She seemed quite upset about the situation. I sent the pictures with comment to the Code Enforcement office and I was advised soon after that a violation letter had finally been sent to the property owner. Two questions come to my mind. Why should it take action by a regular citizen to bring follow-up action on such matters? Why should I be the one on my own unofficial capacity to be doing it? Maybe you wish I wouldn't, I don't know. The other question is would this situation had prevailed for months if it had occurred in Timber Glen, Warren Knolls, Peterson Place or Denver? I think not. I have offered council a way to augment the code enforcement department's limited manpower by enlisting a potential 4000 pairs of eyes to the problem. The quick reference list you see on the back of these papers. I asked that they consider inserting it into the utility bill envelope periodically so that all of the citizens know what is and what isn't a violation. Now, most don't really know. Even a lot of us don't know. We have traveled down East Locust Street for months, for years, with [Inaudible for Transcription] and For Rent signs and Step-In signs in front of the Haught Realty office. Well, nobody said anything, but it is a violation of code on several fronts. The average guy doesn't realize that it is, but you can't have those according to our ordinances. So, I am asking just to consider that and to think of poor Dee when someone comes before council. She hasn't been back to my knowledge. Maybe she has contacted you guys; I don't know, again. It is not a very good thing.

Councilwoman Peterson: Paul, I will just make a couple of comments. Probably the most common comment that administration hears from me when I bring these types of issues is "would you want to live next door to that?" The answer is "no." I share your frustration. I would encourage you...we have a Judiciary Committee meeting on Wednesday, and I appreciate the fact that Councilman Jaehnig has scheduled that, because we need to sort through any issues.

Paul Hunter: Some of these things...I don't care...if we don't think they're right, we should just take them out of the ordinance. Some of these things that are awkward or unenforceable. But, when you have an ordinance on the books and people know that you aren't enforcing it, they lose all respect for the whole package of ordinances, in my opinion.

Councilwoman Peterson: We don't have the answers for that and that is why we are having this meeting – because we need to understand.

Paul Hunter: In my travels to date, the owner of that property that is so bad is over in your ward in the alley between Wood and Grove that goes from Vine down to Sherman. The same person who owns this house lives there, and it is even worse.

Councilman Jaehnig: We have multiple situations in the city.

Paul Hunter: I have also reported that incident.

Councilman Jaehnig: One of my concerns was, just sending it out without actually reviewing the situation to make sure that our ordinances are proper and that we're ready to move forward on a strong footing. Because I agree, it is a situation that needs to be addressed for the comfort of our citizens. Nobody should have to live in a situation where they are having to put up with somebody else who doesn't seem to be very considerate about their fellow neighbors.

Paul Hunter: And you made the point at last council about sprucing up the city. It was even in the paper, because we want people to come in and see it in a nice way.

Councilman Jaehnig: And we want people to move into the city.

Paul Hunter: One of my favorite [Inaudible for Transcription], the yard sale signs as spring arrives are about to proliferate across the City, which is another consideration of mine.

Service Director Larry Reinsmith: One comment on that, Paul, and I know...I went out and looked at those. You know, she had a complaint about wood on the porch. I don't know if you saw that house next door...

Paul Hunter: Yeah, I went there...

Service Director Reinsmith: They had about two cords of cut firewood on that front porch, which is not illegal.

Paul Hunter: I don't think that it is. I agree.

Service Director Reinsmith: No, but did you see it?

Paul Hunter: Yes.

Service Director Reinsmith: She didn't like that.

Paul Hunter: Well, she didn't like the car either.

Service Director Reinsmith: But, the car wasn't there when I went. That was two or three months ago when she complained about that.

Paul Hunter: But she said "car."

Service Director Reinsmith: And the car has come back now. They clean that lot up every time we turn around.

Paul Hunter: Have you been there over the last...? Maybe it has gotten worse; I don't know.

Service Director Reinsmith: I saw the pictures the other day...they came through...and I know they fired off some more letters. There are some things that people don't like, but it is not illegal.

Paul Hunter: I understand. It's complex.

Service Director Reinsmith: It is.

Paul Hunter: However, when somebody comes to you and she gets [Inaudible for Transcription] she is going to say, "The heck with it. Why bother?" and tell her neighbors, "Why bother getting involved?", "You can't fight city hall" and all of these old worn out axioms. But, you should expect something. And I'll shut up now.

Service Director Reinsmith: Another little side note...because some of these signs bother me too. We have signs on Rombach that we continually take down...they're pizza signs and they keep going back up. We tell him not to do it. And it is not because he has his signs up, but I have other people in shopping centers that want to put signs up and we say, "You can't put them in the right-of-way. Come April 1, there is going to be a new sheriff in town in the building department, because I'm the new CBO again.

Paul Hunter: Say that again.

Service Director Reinsmith: I'm the new chief building official and building inspector come April 1. You're going to hear about it one time, and the second time they're coming down, and you can go to court or go to jail. We play this game, we write letters, we take them down, they go back up, over and over again. Every time you clean it up, that cleans up the problem and you start anew.

Paul Hunter: It's never-ending.

Mayor Raizk: It's like this car. This car has been removed and the back yard has been cleaned more than once.

Service Director Reinsmith: There is a house over on Woodview that I was writing letters on 18 years ago. Every year it is a mess and every year we have to get it cleaned up, and every year it comes back.

Paul Hunter: Well, the ordinance is a little weak on debris. You have to admit that.

Service Director Reinsmith: I know that.

Paul Hunter: If it doesn't have [Inaudible for Transcription] running in and out of it, it's not a violation. The car...

Service Director Reinsmith: ...is a violation.

Paul Hunter: That's what I am hanging this on...is the car.

Councilwoman Peterson: That is why we're meeting Wednesday, because we want to make sure...

Paul Hunter: I look forward to that, if I may attend...

Councilwoman Peterson: ...that we're giving the administration what they need to enforce this.

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

Cliff Rosenberger: Mr. President, Mr. Mayor, I'm Cliff Rosenberger. I hail from the rather large city of Clarksville, Ohio...

Mayor Raizk: We won't hold that against you.

Cliff Rosenberger: ...village, I guess. I think we're catching up with you, Mayor, down in Clarksville. I haven't had a chance to meet with council in session. I, of course, have made a couple of your sessions. I am just here, of course, as a candidate for the 86<sup>th</sup> Ohio

House seat here that encompasses Clinton, Highland and Pike counties. I just wanted to be able to come here and talk with you in person. Of course, I feel I have some good experience. I have been blessed in my life to be able to dabble in experience in all three levels of government – local, state and federal. My reasoning for coming back to Clinton County and running is because of my neighbors, friends, my family and people I care deeply about. I returned to help find a viable, sustainable, economic way to get Clinton County moving again – and not only Clinton County, but Ohio. And that’s why I’m here. I feel I have experience in that area to help bring that to full – in several areas – specifically on the federal level where I was able to help in Intergovernmental Affairs through the White House as well as the Office of Political Affairs. I want to bring those experiences here. I am running because I see folks like my mother being laid-off, family friends, my sister who left UC to go to NKU to get a better educational experience because she gets better opportunities, because my friends no longer live here in Ohio and they have all had to move out to find better opportunities and jobs. One of my best friend’s father’s piano business up in Toledo just shut down because he could no longer keep up with the tax burden here in the State of Ohio. That is why I’m running... I care deeply about this county. I care deeply about the people that are here, and it hurts me every day to see the people suffering here in the county and the very people that are hurting is the government itself. That is why I want to start to help stand up and do something about it. More importantly, though, on a side note, I would also like to commend Patrick with the Wilmington Fire Department. I know specifically what it is like to be in a family of public servants. If I was smart, I would have been a fourth generation in the Clarksville Fire Department or the Clinton-Warren Fire Department, but I grew up with firefighters and I know what you go through every day and, more importantly, what your families go through every day. Christmases and birthdays – I always hate it when you are about to open a Christmas present and the fire tone drops. And Dad would always be like we’ll do it in about probably eight hours because it always seemed to be a structure fire on Christmas. But I understand what you go through and thank you for your service. As a member of Clinton County, you make all Clinton Countians, not only Wilmingtonians, proud. So thank you for what you do. The last thing I would like to note is I was honored to be able to make the Streets Committee meeting today – to be here with Josh Riley – and I just want to voice my support for the Veterans Memorial Highway project here on 73 and the 729 project. As a veteran of 11 years in the United States Air Force and currently serving with the DC International Guard and 113<sup>th</sup> Fighter Wing, I think it’s important that we recognize those that currently have given the ultimate sacrifice in the mission that they’re fighting because of the continuous war on terrorism that is going on globally all across the world. I commend you also on listening and hearing from other veterans groups, because it is important that we honor all of those that gave their ultimate sacrifice. I thank you for your time, and I look forward to talking to you more as I continue to get out in the public. Again, thank you, and thank you to you, Patrick, for your service and what you do. Thank you very much.

President Ertel: Thanks, Cliff.

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 Peterson to adjourn.

Motion passed.

Council adjourned.

ATTEST:

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President of Council

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Clerk