

Wilmington City Council met on Thursday, September 2, 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.

A motion was made by Wells and seconded by Mead to approve the minutes of the last regular meeting, August 19, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: Let's see...

Mayor Raizk: I believe we have some recognition tonight. Chief Detective Riley, I would turn it over to you.

Chief Detective Riley: Thank you, sir. I appreciate it. On January 1, 1922, Wilmington officially became a city. On January 2, 1922, the newly formed city had their first council meeting. The Wilmington Police Department was formed at that time and it ended the tenure of Will Sliker, who had been the Town Marshal for 35 years. They no longer had the Marshal's position and it created what we now know as the Chief of Police's position. That position was appointed by then Mayor Richard Greene to Rollo S. Kirk, who became our first Chief of Police of the Wilmington Police Department. He served in that position from January 2, 1922 until July 1, 1922 when he retired. From that first appointment up until the present day, we have had seven Chiefs of Police. You had Chief Kirk, Chief Ben South, Chief Everett Downing, Chief Don Simmons, Chief Stanley "Buck" Irwin, Chief Thomas White, and of course our current Chief Mike Hatten. Of all of the chiefs, Chief Hatten has been the longest serving Chief of Police. He was appointed to that position on January 15, 1983 at the age of 29. He has served in that position for the last 27 years. All of these facts, and these are just a few of them, were uncovered by Dave Lieurance (we'll have Dave come up in a minute.) I had asked Dave earlier in the year to look into all of the names of our Chiefs of Police for a little bit of department history. We wanted to be able to document those, get a plaque or whatever, but just to note for ourselves who they were. Dave went above and beyond doing that and actually compiled what we have here, which is a book of some of our department history. You may have seen some of this. We sent a copy up to be distributed to council. He gladly accepted the task and he put together this book for us. He worked very hard at it. He spent a lot of time at the library and the historical society. He went as far as interviewing some of the old department members to make sure his facts were correct. We appreciate all of he has done. On behalf of the current members and the past members of the Wilmington Police Department, we wish to present you with a certificate of appreciation for your hard work in documenting our history and getting that done in a timely fashion. I greatly appreciate it, Dave.

David Lieurance: Thank you, Chief Detective.

Chief Detective Riley: Thank you.

David Lieurance: I would like to thank Chief Detective Riley for asking me to do this project. The police department, as many of you know, holds a special place in my heart. As a 17-year-old, somewhat naïve, senior in high school, I started a 48-hour work week from midnight to eight with the police department. I thank all of the members, current and former members of the police department, but especially those members at that time who accepted, like I said, a somewhat naïve kid into their ranks. I learned from all of them. I also want to thank those that helped with the input on this project. I especially would like to thank my wife, Laura, and my son Shane for their patience and support

during the project. I certainly appreciate Assistant Chief Weyand and Chief Detective Riley's interest in the history of the department and the city and I thank you.

Mayor Raizk: Dave. Stay up there for a second. For all of your hard work in doing this cataloging and since this was a Bicentennial project, the City would like to give you one of our special bicentennial coins.

David Lieurance: Mayor, I appreciate that.

Mayor Raizk: Congratulations.

David Lieurance: Thank you.

Mayor Raizk: I have Don Simmons' sidearm.

David Lieurance: That's outstanding. Just as a sidebar. Yesterday, Former Chief Thomas White and former Sergeant Frank Copeland, who left the department 50 years ago, graciously met with Assistant Chief Weyand and Chief Detective Riley. They all wanted to meet each other. We were here for two hours touring the department. Many of you may remember former dispatcher Millie Gray, who was the face of the city for 26 years at the old building. You would come in and she was the receptionist. At that time, the dispatch office was right in the front door. Millie was with us and Shane was with us. We certainly enjoyed two hours. It was so nice to see men who worked together 50 years ago come back into the police department and seem to have such a good time. I thank you all.

[Applause]

Mayor – Mayor Raizk: Thank you, Mr. President. I don't have an official report tonight, but I did want to call your attention to something that we had been doing for ten years now almost – our 9/11 memorial celebration. It is to be Friday, September 10, since the 11<sup>th</sup> falls on Saturday. It is at 7:30 a.m. You have the agenda there already and we have it worked up very well. So, we hope to see everybody there. That is also open to any member of the public or anybody who is downtown. Please come. It doesn't take very long, but we feel that it is important to remember. We participate with the county on this. They come over and ring the Freedom Bell. It is a good time and a wonderful celebration if you can spare just a few minutes. The best part is, we have snacks afterwards. So, everybody show up if you can. I think that is all I have, Mr. President.

President Ertel: Very good. Let's check out the committee reports, please. 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 tonight, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: The only item we have tonight is a resolution approving special assessments to go to the County Auditor.

A motion was made by Mongold and seconded by McKay to give the first reading only on the resolution Approving Special Assessments Pursuant to Chapters 923.09, 929.03, 1701.10 and 1729.03 of the Codified Ordinances of the City of Wilmington and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2211 passed as read.

Councilwoman Mongold: That is all. 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 – Chairperson Peterson: We have one item. We are going to do one reading on some legislation to change the traffic control map to add stop sign at the corner of Thorne and Howard Street. We discussed this at committee meeting, and we felt it was good to move forward. Frankly, it is a traffic control device. The traffic goes flying through there and we think something else will slow them down.

A motion was made by Peterson and seconded by Wells to give the first reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File, and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

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

Mayor Raizk: Just so council is aware, it is okay to not give it all three readings at one time. As I said when the folks were here the other night, I had visually seen this vehicle, which then accumulated another vehicle. We have yellowed the curb out all the way past now. The vehicles have been removed. We still need the stop sign. That is not part of the traffic control map. It doesn't require legislation.

Councilwoman Peterson: Oh, great. That is on the agenda for the next Streets Committee meeting, so we can take that off.

Larry Reinsmith: No. I think you still need the stop sign.

Councilwoman Peterson: No, not the stop sign, but yellowing the curbs. The stop sign, we have already addressed at committee meeting. The yellow lines, a resident called me and I added it to the next Streets Committee meeting.

Mayor Raizk: It is not necessary because we have already addressed it. It's done.

Councilwoman Peterson: Oh. We're the City; we never sleep.

Service Director Reinsmith: And we towed the trucks.

Mayor Raizk: The trucks have been towed. And it has been yellowed a very significant amount.

Councilwoman Peterson: We are overachievers, so we can take one of the agenda items off and we'll be good to go.

President Ertel: Very good. Thanks. Solid Waste/Recycling?

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

President Ertel: Thank you. Wastewater/Sewer?

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

President Ertel: Thank you. Judiciary?

Judiciary Committee: Chairperson Rob Jaehnig: We have one item tonight, Mr. President. This is the first reading on a resolution authorizing the submittal of a proposal with the Ohio Department of Transportation for a grant through the US DOT Federal Transit Administration. This is our yearly funding request, our grant request, for our taxi services. Mr. Floyd is here in case there are any questions before we move ahead.

A motion was made by Jaehnig and seconded by McKay to give the first reading only on the resolution Authorizing the Submittal of a Proposal with the Ohio Department of Transportation for a Grant Through the US DOT Federal Transit Administration (FTA), as Authorized Under Federal Transit Law, as Codified, 49 USC Section 5311, Financial Assistance for Other than Urbanized Areas and Funds Available from the Ohio Public Transportation Grant Program and Executing a Contract with the Ohio Department of Transportation Upon Grant Proposal Acceptance.

Motion passed

Director of Law read resolution by title only.

Councilman Jaehnig: Do we need to put the second and third reading together on the next meeting or are we going to do this in three readings?

Clerk Laura Curliss: Three meetings.

Jaehnig requested that the second reading be on the Agenda for the next meeting.

Phil Floyd: At the third reading, we will have our public hearing – on October 7.

Councilman Jaehnig: Thank you. I appreciate it. That is all we have today, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: No report today.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay: Just a lot of things coming up the weekend after this, with the Corn Festival and Corn Festival Parade and the grand reopening of downtown at the same time as the parade, so it should be a pretty exciting time. Come and hang around and shop the yard sales and the shop the downtown merchants.

President Ertel: Very good. Parks & Recreation?

Parks and Recreation Committee - Convener Mike Wallace: I have no report, Mr. President.

President Ertel: Excellent. Thank you. Mr. Service Director?

Service Director- Service Director Larry Reinsmith: I have no real report, I just want to...if you don't know already, Nelson Road will open up tonight. That will make a lot of people happy.

President Ertel: Is that all you have?

Councilman Wells: I have one question. Larry, did we come to a conclusion on the left turn? Are they going to...?

Service Director Reinsmith: We're going to take the arrow off.

Mayor Raizk: We met with the folks with the state this morning, Larry and I did. The reality of it is that the traffic control map indicates parking spaces there, so we need to do what the law says, so we are going to grind those off and return it to where it is supposed to be. Obviously, it was a state funding, engineers of the state...

Paul Hunter: What are you talking about, Don?

Councilman Wells: The left-turn lane in front of the Friends Church right out here...

Mayor Raizk: The left turn lane on Mulberry. There were actually parking spaces there, and the state mistakenly put that in as a left-turn lane like on all of the other intersections going back on Locust. We will return it to where it supposed to be so it is in compliance with the traffic control map.

Service Director Reinsmith: Another side on that, I know there are some little flaws in certain areas – driveway approaches. We met with ODOT this morning. We gave them three pages of a punch list that we had found, so they are going to be working on it. They are going back next week. They really want to be finishing up, I think, toward the end of next week maybe, because once they are done, they really want to get out of here and not come back. So, we are rushing to get a few things done like tear a house down and get Swindler's done, because we want all of that stuff done before they leave. They've done a lot of things that...

Mayor Raizk: That doesn't mean that they can't be brought back if there was something glaring, it is just easier if we can get all of these done. As we said, we gave them a punch list with three full pages first.

Councilman McKay: Mr. President.

President Ertel: Yes.

Councilman McKay: I did forget one thing, since we are still in revitalization. The Murphy Basement Band will also be performing this Saturday morning at the Corn Festival Parade under the marquee of the Murphy. That includes several people that are well-known to many of us.

President Ertel: Do you know when the parade starts, Mark?

Councilman McKay: 10:00.

Councilman Wallace: I have a question for Larry. Are we still going to do Prairie?

Service Director Reinsmith: Yes. We're working on that right now. That's all I have.

President Ertel: Any update on Swindlers?

Service Director Reinsmith: They've got it up to grade almost, so they are getting ready to pour the slab on their porch.

Councilman Wallace: Will it be wide enough to get the parade through?

Service Director Reinsmith: Well, we're going to have enough fill in there and Denny is going to pull the barricades out for the parade. It will be okay.

President Ertel: Very good. Thank you.

Safety Director – In the absence of the Safety Director, there was no report.

Reports:

A motion was made by Jaehning and seconded by Peterson to approve the Income Tax Report – August 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.

Sam Malone: I live 675 Ken Hawk Place in Country Oaks. I believe Mr. Patterson was talking to the mayor on several occasions or some of you gentlemen about the condition of the road that stops at Silverado. It is only the first level of concrete there. The second level has never been put in. I spoke to Mr. Reinsmith, I believe, in 2007. I wrote him a letter. Unfortunately, I never got a reply. I am concerned about what is going on and what's the eventual replacement of this road. Now I understand from Mr. Patterson, who is my neighbor, that a bond has been put up for \$50,000 to do the rest of the roadway. Apparently, it is not enough to cover it. I want to know what is going to happen. Are we going to sue this guy to do it or what? When are we going to have the road done?

Service Director Reinsmith: Pretty much what you are saying is right. I don't think it is \$50,000 – it is less than \$50,000 on that.

Sam Malone: Well that is what I was told.

Service Director Reinsmith: You know, when they did that and they submitted their letter of credit, what happened was is the asphalt price doubled in price. But, I had made a suggestion and had talked to the mayor about it, I had sent that letter to the Law Director asking for her advisement. I wanted to really move forward and get a judgment, and then we would go ahead and pave that, but I wanted to attach his property. He doesn't have any more lots out there. They are all sold. So, I wanted to attach it to one of his personal properties. I had sent that and had gotten no response. We are working on trying to figure out legally how we do that. We're going to get the road paved, it is just how do we get the attachment or lien done to try to get it done.

Sam Malone: Okay, I understand that. But how long is that going to take. I mean, are you actively working on it?

Mayor Raizk: We're actively pursuing it.

Sam Malone: So are you going to go to court against this gentleman?

Mayor Raizk: Well, we will have to at least get some kind of a judgment. That's all we can do. We will do what it takes to get the road paved.

Sam Malone: So, suppose it takes five years to get the judgment.

Mayor Raizk: Well, it's not going to take that kind of time.

Sam Malone: You don't think so.

Mayor Raizk: No. That will move to the top of the docket.

Councilwoman Peterson: One of the challenges is we do have other undedicated streets in other areas that they want us to repair and replace as well. So we're challenged because these are streets that have not been dedicated to the city. Unfortunately, there are others throughout the city.

Sam Malone: Well, I'm sure there is, but I'm only concerned about...

[Laughter]

Mayor Raizk: As you should be.

Sam Malone: Well, we pay the taxes there for it, and we don't seem to see any results.

Councilwoman Peterson: Absolutely.

Service Director Reinsmith: If it makes you feel any better, Councilman Wells and I both live in the same situations.

Sam Malone: I know you live there.

Service Director Reinsmith: So, we're...

Sam Malone: That is why you should be doing a little better.

[Laughter]

Mayor Raizk: So, we are pursuing this as much as we can. The outcome is eventually that street is going to be paved. But it is not going to be five years. Don't worry about that.

Sam Malone: Well, I'll see you in 2011.

Mayor Raizk: It would be great if we could get it before the snow flies, but, I think you may be more right than I am. Just say that.

Sam Malone: Well thanks. I'm depending on you.

Mayor Raizk: All right. I take the responsibility and I don't take it lightly.

Sam Malone: Thank you.

President Ertel: Thank you so much.

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 Wells and seconded by Mongold to adjourn.

Motion passed.

Council adjourned.

ATTEST:

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk