

Wilmington City Council met on Thursday, October 21, 2010, with President Fred Ertel presiding.

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

Assistant Chief Weyand was also present.

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

Council gave the Pledge of Allegiance to the flag.

A motion was made by Wells and seconded by McKay to approve the minutes of the last regular meeting, October 7, as received. Motion passed.
Minutes approved as received.

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

Mayor – Mayor Raizk: Thank you, Mr. President. I don't have a report this evening.

President Ertel: Well, okay. Let's talk about committee reports. Asset, Acquisition and Use?

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

President Ertel: Okay. Mr. Auditor?

Auditor – Auditor David Hollingsworth: I have nothing, other than I will be completing the current end-of-September report here in the next two days and I will distribute that out to all of the council members.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: I will mention that we do have budget meetings scheduled and if anyone in the audience would like to have a copy of that schedule, they can get it from the Mayor's office. The first item we have tonight is an ordinance establishing a new fund for the communication center upgrade.

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; Mead, 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; Mead, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Ord. No. 4936 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance making supplemental appropriations.

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; Mead, 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; Mead, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4937 passed as read.

Councilwoman Mongold: The third item tonight 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; Mead, 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; Mead, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4938 passed as read.

Councilwoman Mongold: That is all. Mr. Auditor, I would ask that when you get those reports do you think maybe we could schedule a finance meeting?

David Hollingsworth: Sure.

President Ertel: Very good. 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 Wells: In Cindy's absence, there is no report. No...wait a minute...

President Ertel: We have two pieces of legislation.

Councilman Wells: Okay. This is the first reading on an ordinance amending the traffic control map, making the alley between Mulberry and Spring Street two-way from Mulberry Street to a point just west of Zeigler's Pharmacy. Are there any questions?

Clerk Laura Curliss: I think we have some discussion.

President Ertel: Larry?

Service Director Reinsmith: I looked that over pretty good, and I think all we really need to do is pass the ordinance, but just take the one-way sign down right there at the church. Because anywhere in that block, you can go left or right up to the alley. There is a do-not-enter sign at the alley that won't let you come back that way, but if you come out of Zeigler's you can go left or right. Coming out of that parking lot, you can go left or right...you just won't be able to come in from that alley. The problem is it was the line of sight at the alley. So, I think all we need to do is make it a two-way within that one block from Mulberry to Spring Street...

Mayor Raizk: But leave the do-not-enter at Spring Street so that you cannot turn from Spring into the alley from either direction, left or right.

Service Director Reinsmith: They were trying to come up with the footage, trying to break it one way from a certain point...with arrows going this way and arrows going that way.

Councilman Wallace: That matches the intent of the committee anyway.

Mayor Raizk: Yes.

Councilman Wells: That's a good idea.

Mayor Raizk: That way, folks can turn in and get into the church parking lot or folks from Zeigler can go either way, or all of that would work.

Service Director Reinsmith: It just makes it legal when they are turning out of there.

Councilman Jaehnig: Does this need to be amended?

Clerk Laura Curliss: Yes. Do you want to propose an amendment, Larry?

Service Director Reinsmith: What do you want to say?

Law Director Kathryn Hapner: I think all you have to do is take out that subparagraph A. Just take it out so it would be two-way from Mulberry to Spring.

[Discussion regarding how to amend ordinance]

Law Director Kathryn Hapner: Now, the subsection A would say, "that the alley between Mulberry Street and Spring Street that is adjacent to and south of St. Columbkille Roman Catholic Church will be two-way from Mulberry to Spring Street...period.

President Ertel: Excellent.

Mayor Raizk: Do we want to say "no admittance from Spring Street."

Law Director Kathryn Hapner: Well, that's already there.

Mayor Raizk: It's already there, so we are not making a change.

Law Director Kathryn Hapner: We're not making a change, so we will just leave that.

Mayor Raizk: We're not amending it, because you really haven't read it yet, is that correct?

Law Director Kathryn Hapner: Exactly. Now, it can be before you in this form.

Councilman Wells: So, all we need to do now is make a motion for the first reading?

Clerk Laura Curliss: Yes.

A motion was made by Wells and seconded by Wallace to give the first reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File.

Motion passed

Director of Law read ordinance by title only.

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

Councilman Wells: The second item tonight is three readings on a resolution authorizing the mayor to submit a grant application for the "Safe Routes to School" program through the Ohio Department of Transportation and declaring an emergency. Are there any questions or discussion?

A motion was made by Wells and seconded by Wallace to give the first reading only on the resolution Authorizing the Mayor to Apply to the Ohio Department of Transportation for “Safe Routes to Schools” Funding for Two Sidewalk Projects in the City of Wilmington, To Wit: On Truesdell Street and on Nelson Avenue and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

A motion was made by Wells 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; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes.

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2219 passed as read.

President Ertel: Don, thanks for standing in. We appreciate it. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President, we have no report tonight, but I would like to ask Larry a question about the recycling packer. Have we got it yet?

Service Director Reinsmith: No. They are doing a rehab on it. I'd say in the next thirty days, we will have it operating. We have all of the bins. Donnie has a program on how they are going to disburse those bins. They will be in operation.

Councilman Wells: Very well. That's all, Mr. President.

President Ertel: Thank you. Wastewater/Sewer?

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

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: We have one item tonight, Mr. President. Tonight we're going to put forth three readings on a resolution authorizing the Mayor to sign a union wage extension agreement with the FOP and the Ohio Labor Council. This allows us to continue moving on while negotiations continue, which is a good thing. We would like to put that in place tonight so that is good to go. Are there any questions in regards to this?

A motion was made by Jaehnig and seconded by McKay to give the first reading only on the resolution Authorizing the Mayor to Enter into a Union Wage Extension Agreement with the FOP, Ohio Labor Council, Inc.

Motion passed

Director of Law read resolution by title only.

A motion was made by Jaehnig and seconded by McKay 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; Mead, yes; Mongold, yes; McKay, yes.

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2220 passed as read.

Councilman Jaehnig: That is all for us this evening.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: We have one item on the agenda tonight: three readings on a resolution accepting a grant award. It is a grant award for \$140,000

from the U.S. Department of Justice for upgrades to the City of Wilmington communications center. This is sorely needed. I would like to ask for three readings so we can get moving on this as soon as possible. Are there any questions?

A motion was made by Jaehnig and seconded by McKay to give the first reading only on the resolution Accepting a Grant Award of \$140,000 from the United States Department of Justice for Upgrades to the City of Wilmington Communications Center.

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; Mead, 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; Mead, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No. 2221 passed as read.

Councilman Jaehnig: And that is all for Safety tonight.

President Ertel: Thank you very much. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – No legislation, but there is going to be a lot happening around the 30th, around Halloween. We will have our downtown trick-or-treating, which is a great time for adults and kids alike, with a lot of the stores open and passing out treats and so forth. It was a good time last year, and I know it is even better this year. We have a movie at the Murphy for kids that evening. And then we have a movie for adults at midnight: The Rocky Horror Picture Show, complete with actors and it should be interesting.

Law Director Kathryn Hapner: Should we bring our rice?

Councilman McKay: I think you can purchase it as you enter.

Councilwoman Mongold: I believe there are 50 businesses participating in the Halloween.

President Ertel: Excellent.

Councilman McKay: So, it is going to be a great time. That's all I have, Mr. President.

President Ertel: Very good. Thank you very much. Parks & Recreation?

Councilman McKay: I did forget the wine walk tomorrow night, and I expect that has a lot of folks signed up for it. I don't know if it is sold out or not.

Councilwoman Mongold: They have just about sold 100 tickets for that and ten businesses are participating.

President Ertel: Excellent. How about Parks & Recreation? Mike?

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

President Ertel: Okay. Service Director?

Service Director- Service Director Larry Reinsmith: No report.

President Ertel: Okay. Is there anything from Safety?

Safety Director – Mayor Raizk: No report, Mr. President.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by Mongold to approve the Auditor-Treasurer's Report – September 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.

Paul Hunter: 200 Randolph St. I would like to take this opportunity to compliment Mr. Wells and the Law Director on their actions in our Southridge neighborhoods. The four counts that have been longstanding, it looks like there is a chance that they will be rectified. I would request that the press, you do what you want, give this some notoriety so that people will see that we are not letting all of this stuff go down without taking action against them. This is at Lytle Place, if you are so inclined. Thank you.

President Ertel: Okay. Thanks, Paul.

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

Scott Kirchner: 245 S. Mulberry St. I read the article in the News Journal on the criticism of salaries for some of the city employees and had a concern that I did want to bring up. As council knows, I was here previously having experienced a house fire at a property I own and establishing at the time that due to the reduction in personnel, it was a mere coincidence that we did not have another activity that would have taken firefighters out of the fire house and would have resulted in a loss to the structure. In reading President Ertel's comments on safety, I am very concerned. As we talk about staying on top of the information and the statistics show that we are safe. I don't think the voters have put you here to gamble on our safety and I think we need to look at those administrative salaries and get the emphasis back on safety. Thank you very much.

President Ertel: Thanks, Scott.

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 Jaehnig to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk