

Wilmington City Council met on Thursday, November 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.

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

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: I would like to mention here, we have a notice of legislative authority from the Ohio Division of Liquor Control for a transfer from Yamuna LTD dba Shop & Go at 1089 W. Locust Street to Locust, Inc. dba Shop & Go, 1089 W. Locust St. Wilmington, Ohio. This will be on file at the Clerk of Council if anyone would like to see that. At this time, I would like to recognize Steve Brown, please, to talk about the Main Street Wilmington reports.

Steve Brown: I have not met with you guys for a few years now, and I apologize for keeping you updated on what Main Street is doing, so that is why I am here...just to give you an overview of what we have done over the past years and what we expect to see in the upcoming year. Of course, we are always concerned about how the downtown looks, so we hung the mural parking lots lights, we decorated the urns with seasonal decorations, we hung flowers up high over the past few years, initiated three pole replacements from DP&L, which have been replaced, coordinated and raised funds for the pocket park wall and the new fence that you see out front, which I think looks beautiful. We have also sold over 100 fan flags for the Bicentennial Celebration and have hung those. We have recently taken down most of them, which was a challenge in itself for this guy who is scared of heights. We continue partnerships with the business resource center in educating entrepreneurs. We held classes at Wilmington College. We also take a history class from Wilmington College around town twice a year to show them building restoration do's and don'ts, and we have great examples of both, fortunately and unfortunately. We continue a partnership with Clinton County Live, which is an initiative of Rob Stuckert's of musical education and placing live musicians into venues downtown, the New Wilmington Community Arts Collaborative, which we have partnered with to put art in the windows of downtown and the new art studio in cooperation with South Street Gallery and John Schum. Of course, we continue our partnership with the Murphy Theatre and events. We all know the farmer's market is downtown, the initiative is downtown as a result of Main Street along with artisans and musicians who are now there. They have taken on a life of their own, which we are very proud of. They are doing great. Of course, also Buy Local first was birthed out of downtown through Main Street along with Chris Schock and Regional Planning and the energies of Energize Clinton County, which has turned it from a downtown Buy Local promotion to actually a Clinton County-wide promotion. Of course, we are known for our events and that is a very, very small part of what we do. We'll run through those very quickly. Lunch and Learns, you may not know about, which we help entrepreneurs and have a lunch in the city building here on a monthly basis. We do ribbon cuttings for opening businesses. We've continue the Brown Bag Lunches – pick up lunch from any of your local restaurants or bring one from home, come to the theatre, and enjoy some great live music, like Danny Mongold.

[Laughter]

Steve Brown: We initiated the DGA tour, the Downtown Golf Around, 18 putt-putt golf holes set up in 18 businesses. Fifty golfers were there the very first time. We put on for

the first time a progressive dinner, which we had sold at 60 eaters – people eating – diners? What were you mayor?

Mayor Raizk: I just got a drink...

Councilman Jaehnig: That was the wine walk.

Steve Brown: Now we'll go onto that. We have the Wine Walk. We sold a hundred tickets to that. It is sold out.

Mayor Raizk: That sold out. I couldn't get in on that one.

Steve Brown: I know. You had to get in quickly on that one. We look forward to that this year. One hundred people participated in that and got them into 10 businesses downtown. All of these are for the reason of getting people that don't know the businesses downtown, to get them into those stores that they've never been into. It's lots and lots of fun. It has exposed new people to new businesses. Our second annual Halloween Bash brought a couple hundred kids downtown along with a couple hundred parents, grandparents and guardians. We'll continue the Holiday Open House again this year and all the gift certificates drawings and Winter Wonderland thanks to Councilwoman Mongold. Again, we will be hosting thousands of people downtown for Holidazzle. It has been a real pleasure to be part of that initiative and a strong partner in that, and I appreciate Councilman Jaehnig in heading that up again this year. So on numbers, we're still at about a 5-7% vacancy rate, which is very, very, very good for our town. We are at a nearly zero percent vacancy rate as far as residents downtown, thanks to Laura Curliss' hard work and Wilmington being a Main Street Community, she was again able to secure the Tier II grant for \$400,000 for improvements downtown. Our volunteers have put in over 1,500 hours each year in downtown. We continue on our National Accreditation for seven years now. I've been a certified manager now for three years. We certainly thank the City for our new streets and sidewalks. It has been a pain, but nothing but compliments now. We knew all we had to do was see ourselves through this and it would be a positive aspect, fantastic for downtown revitalization, so thanks to all of you. Also thanks for my office downtown. I haven't been able to officially thank you for that. For those of you who don't know, I now am in the very corner office of this building that was unused and looking at cutting all of our costs, we greatly appreciate that corner. I enjoy it there, it is a little teeny-tiny, but that is a great place to sit and watch people. So, that is all of what we have done. I thought I would let you know what we have been doing in the upcoming year. Our biggest challenge and probably our most difficult project we're going to try to take on this year and that is to try to increase sustainability activity. We are very good at bringing lots of people downtown at one time and then it is quiet. Then we bring lots of people downtown and then it's quiet. We want to bring those quiet times up a level. So, we want to create an atmosphere downtown. Some of you have already heard me preach on this. It's very easy to go to a neighboring town center, like The Green or up to Columbus and observe what people enjoy. We want to create those things in our downtown – to create an atmosphere that people just want to be there, in particular on Friday nights. These items would be live music or music that has been recorded if it can't be live. Lights in the trees. With the sidewalk replacement we are able to put conduit under those sidewalks to run wires to run lights to put in the trees. Tables with umbrellas. Art in the windows. A water feature. Like I say, our goal is to have live music in every restaurant every Friday. Several of the restaurants have already taken that initiative to have live music and it's a big draw to the downtown. Of course, we're thankful to those who have taken that on. So, on Friday nights we want to, and this is the hard part, is getting all of the shop owners to stay open on a Friday night, and keep the theatre open on a Friday night so people would want to come downtown, eat, catch a movie, catch a show, just walk around downtown, look at art, enjoy a water feature type of thing. So, we are working toward that. We are going to maintain all of the other things that I had mentioned to you, other than the fan flags, I'm not going to do that again...at least not for another hundred or fifty years.

[Laughter]

Steve Brown: That is all I have. Does anyone have any comments or questions for me while I'm up here.

Councilwoman Peterson: I have a quick question. The Lunch and Learns you have at City Building, what kind of topics do you have?

Clerk Laura Curliss: We had Pam Stricker come talk about how to market your business using newspaper advertising, we had one on retail in detail, on quality retail customer service practices, new business owners orientation and what resources are available, a downtown grant one.

Councilwoman Peterson: I just wanted to get feel for it. Thank you.

Steve Brown: Thank you, Mr. President.

Paul Hunter: [Inaudible for Transcription]

Steve Brown: We are going to keep the third Fridays.

Councilman McKay: Steve, before you walk away, as one of the individuals who have been part of this group, Sandy and Geoffrey, if he is here, we've seen just a tremendous growth of the Main Street Group and accomplishments. You certainly are one of the accomplishments and it is much appreciated.

Steve Brown: Thank you, sir. I appreciate that.

Councilwoman Mongold: I just want to mention that the Main Street program is actually part of the Downtown CIC. They have done a tremendous amount for the downtown also in terms of development.

President Ertel: I would like to recognize Assistant Chief Weyand to talk about the GovDeals report.

Assistant Chief Weyand: Earlier this year we created an ordinance allowing us to enter into an agreement with GovDeals.com to auction off surplus or declared surplus property for the City of Wilmington. That ordinance is set to expire this year, and so we need to renew that ordinance so that we can continue selling surplus items next year. I was invited or asked to give a status report on what we have sold and what we have accomplished so far. To date, we have made \$22,156 off the stuff we have sold as surplus items. With the exception of two vehicles from taxi cab, the rest of that stuff is just items that we've sold that were surplus property for the police department. We're only about halfway through the items within the police department to sell. We still have a bunch of junk cars that are in our impound building or our impound lot. We have a motorcycle that is about three years old that was seized, computer-related equipment and stuff like that to sell, and then we still have other equipment from other city agencies that has been declared surplus property to sell. Some notable sales that we have had: We sold two taxicabs from the cab company. They were vans, 2003 model, GMC vans. One went for \$5800 and the other went for about \$7600. They typically sell at our local auction at about \$1500 or maybe \$2000 a piece, so we tripled what we made on those. Some of the other stuff that we sold, we are always inundated at the police department with bikes. Typically they sell for \$1-\$2 a piece at standard auction. We've been selling them in lots of five and they've gone anywhere from \$60 a lot to \$160 a lot. We've had items sell as far as Vermont, Maryland, Dayton, Columbus. I am not sure how many have gone west, but I know we have sent them to Maryland, Vermont, a lot to Columbus, a lot to Dayton, and far-reaching places that we've sold items. With that in mind, I just want to give you an update of where we are at and with the notion that next month we need to have an ordinance in reference to continue to sell items on GovDeals. I'll take any questions if you have any.

Councilman Wallace: Is that the gross income or is that net?

Assistant Chief Weyand: Actually, \$23,986 is the gross, and GovDeals fees are \$1800, so we have netted a little over \$22,000 and, like I said, we're only half-way through what we have to sell.

Councilman Jaehnig: Do you know what our best year was before?

Assistant Chief Weyand: We have exceeded our best year. The best year was in '08, if I recall, and it was just a little over \$20,000, like \$20,100. So, we have already exceeded that and we're only halfway through what we have available to list. What we have been doing is, during the summer months with all of these cars in the impound lot, the cars are sitting on their frames, they have been sitting there for a while, they are DUI cars that the people who were arrested left state or whatever. We've been stuck with these things. We get the titles for them and these are the vehicles that we end up auctioning off. We have a few vehicles that were seized out of a pursuit, drug-related seizures and stuff like that, but most of these cars aren't worth scrap metal, and they are selling. For instance, we have a 1983 Chevy truck that will sell tonight at 9:00 that is sitting on four rims. It is right now listed at \$705 and there have been 33 bids on it. That would normally sell for \$50-\$100 at our standard auction. Like it said, they bring generous amounts of money and I thank everybody that has bought something from them. It has been a worthwhile venture for us.

[General comments of thanks]

President Ertel – Thank you, thank you so much and definitely we will make sure we have an ordinance to follow up with that, getting you on the program. That completes my portion, Mr. Mayor.

Mayor – Mayor Raizk: Seeing that Mr. Brown took all the time...No, I spoke enough at our pre-meeting so I don't really have a report Mr. President.

President Ertel: Very good. Thank you. 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: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: The first item we have tonight is a carryover from the last meeting.

A motion was made by Mongold and seconded by Peterson to suspend the rules and give the second and third reading on the ordinance Making Miscellaneous Transfers, 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 Mead 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. 4939 passed as read.

Councilwoman Mongold: The next item is a ordinance making supplemental appropriations. If there are no questions, I would move for the first reading. Yes?

Councilman Wallace: I see where on "f" we have from the general fund to EMS Billing Expense.

Councilwoman Mongold: Yes, we are required to pay an 8.5% fee for the services of the company that administers that and last year in our appropriations we actually underestimated how much we were going to receive so we would have more administrative fees to pay, so that is what's that is for.

Councilman Wallace: I guess my question is, the money that we receive, that goes into the General Fund?

Chairman Mongold – Yes it does. Any other questions? Good question.

Auditor – David Hollingsworth: Sandy I might just point out, Item B, pensions, the sum, I talked to Mary Kay about that one. That was just a miscalculation when we did the original project. We did not pick up the correct salary line item or salary amount when we made the calculations, so we were just short.

A motion was made by Mongold and seconded by Mead 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; 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 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. 4940 passed as read.

President Ertel – Anything else, Sandy?

Chairperson Mongold – I would just mention again that November 29, which is Monday, 11:30 am will be our next finance meeting. Thank you.

President Ertel: I certainly would like to congratulate you and everyone of the team for working through the 2011 budget processes. It has worked out very well.

Chairperson Mongold: The department supervisors, Mary Kay, Mayor and David they all need to be commended.

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 two pieces of legislation. The first is the third reading on making the alley between Mulberry and Spring Street two-way.

A motion was made by Peterson and seconded by Wells to give the third 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.

A motion was made by Peterson and seconded Wallace for passage of the ordinance.

Motion passed.

President of Council declared Ord. No. 4941 passed as read.

Chairperson Peterson: The second one is time-sensitive matter and I'm going to ask for three readings. This is for legislation for an ODOT paving project on Locust Street.

There is a budget amount in streets to pay for our portion. We budgeted \$50,000. We don't anticipate it will be that much. But the grant to pave Locust Street. Are there any questions?

A motion was made by Peterson and seconded by Wallace to give the first reading only on the ordinance Adopting Preliminary Legislation for ODOT FY11 Urban Paving Project, CLI-22D-0.92, PID 89011 and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Peterson and seconded by Mongold 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 Peterson 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. 4942 passed as read.

President Ertel: Anything else?

Councilwoman Peterson: We have nothing more.

President Ertel: Thank you. Solid Waste/Recycling?

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

President Ertel: Thank you. Wastewater/Sewer Committee?

Solid Waste/Recycling Committee: Chairperson Don Wells: Larry has something.

Service Director Larry Reinsmith: I just wanted to give you an update. Your recycling truck it is due to be in here tomorrow at 10:00 am. It is coming in from Indianapolis and it will take a few days to get it lettered, but we will be ready to put it on the road.

Donnie has worked out a little different plan on the distribution of the containers. He is going to hire Carl Estep, who is a recent retiree from the landfill, as a contractor, which can be paid for with some of the grant money. Carl, of course, is familiar with all the routes as well as recycling. He is going to distribute all those containers to those that recycle already, so it will go a lot quicker. Then he has talked with the Interact Group at the High School, and they are going to distribute all the educational material for the program too. We will be in business here.

Councilman Jaehnig: When do we expect distribution to start?

Service Director Larry Reinsmith: Maybe Thanksgiving week or maybe the week after.

Councilperson Peterson: Is it possible the truck could come and visit us at the next council meeting?

Service Director Reinsmith: I told Donnie, why don't you call the guy and have him get in here today instead of tomorrow.

Councilwoman Peterson: I mean, I would really like to see the truck.

Service Director Reinsmith: He said he would really like for you to see it with the letters done.

Councilman Wells: And the snowblade is on it, right?

Service Director Reinsmith: Yes.

[Laughter]

Councilwoman Peterson: Thank you.

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

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: No report, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee: Chairperson Rob Jaehnig: Also no report, Mr. President.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – I think it was well covered by Mr. Brown, so I have nothing further to add.

President Ertel: Excellent. Parks & Recreation?

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

President Ertel: Okay. Mr. Service Director?

Service Director: Service Director Larry Reinsmith: No more report.

President Ertel: Okay. Thank you. Safety Director?

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

President Ertel: Thank you. Before you have the Auditor-Treasurer's report for October 2010, plus the Hotel Lodging tax 3rd quarter of 2010. What is your pleasure with those please?

Councilman Jaehnig: One second Mr. President. Where are we at with Wilmington Inn?

Director of Law: Kathryn Hapner: Oh, we filed it and they have been served. Now we are just waiting for the court to set it for a hearing date or pre-trial date, whatever they are going to do. In that there are two counts in that complaint. One is for not paying the lodging tax, and the other is for not paying the income tax.

Councilman Jaehnig: So they have not paid either?

Director of Law: Kathryn Hapner: No, they haven't paid either. What's funny about it is they actually filed their return, and they withheld it from their employees wages. They just didn't pay it to the city.

Councilperson Mongold: How much are we talking?

Director of Law Kathryn Hapner: I'm thinking, Geoffrey? Was it like \$5400 in income tax...something like that. But the lodging tax we don't keep. I think it's seven or eight thousand dollars, I think. That's just off the top of my head.

Councilperson Peterson: The lodging tax...

Law Director Hapner: It's a flow-through.

Councilwoman Peterson: The lodging tax is paid is by the people who stay there.

Director of Law: Kathryn Hapner: Right, yes so Wilmington Inn has collected it, they just simply haven't paid it.

Councilperson Peterson: They've got the first part of the process down.

Director of Law: Kathryn Hapner: Yes. The collecting they've got down. The same thing with the income tax, they've collected it from the employees. It's been filed and they've been served. I'll call the court this week and ask if it is set for hearing.

Reports:

A motion was made by Wells and seconded by Peterson to approve the Auditor-Treasurer's Report – October 2010 and the Hotel Lodging Tax Report – 3rd Quarter 2010, as received.

Motion passed.

Reports accepted as presented.

President Ertel: At this time, I would like to open the meeting up for anyone from the general public and/or members of council to address council while in session. Please state your name and address for the record.

Councilman Jaehnig: I am glad to not be here today asking and begging for money for Holidazzle. With the help of the Mayor and Jeremy Bryant, DP&L will definitely help keep the lights on for Holidazzle and made a significant donation in order for us to go forward. I greatly appreciate our partnership with them in allowing us to do so.

[Applause]

Councilman Jaehnig: Holidazzle is full speed ahead. As of today, we had 70 entries in the parade. We have a street spectacular that we are looking forward to that will be immediately before the parade. We have entertainment in the courthouse, in the Murphy Theatre, the churches, and Books 'N' More, so it will be as big as usual. Especially with those with kids, Chester Friends Church is doing our kids activities in the Community Room here in the building. We will also have here in the building the Cincinnati Zoo. They will be downstairs in the lobby with their animals.

[Banter about the animals]

Mayor Raizk: Well, we have a history. Larry, shall we tell them?

Service Director Reinsmith: I was just telling Gary...

Mayor Raizk: Tell Gary about the last time we had an elephant in the building. The Jaycees decided we would have a circus inside at Hermann Court. We finally got the elephant to bend down and we took out the center of the post on that back door, Mike where you used to park. The elephant got in there, but the elephant had diarrhea.

[Laughter]

Mayor Raizk: ...and I remember the old equipment manager, Mabel. Oh, she was livid. We had to hose the ceiling, the walls... So when I heard "a zoo in the building," my antenna went up.

[Laughter]

Councilman Jaehnig: I am very happy to say that I have not had an experience like that and nor do we look forward to that. As a special note, I would like to specifically thank the employees of the city and the hard work that they end up putting into our event on a holiday weekend for them. Especially the police force, because of the size of the event not a single one of them get the day off. We end up putting them all to work. They all seem to be in a very good mood about it and take it for the event that it is. I really appreciate their support and their hard work. That is all I have.

Councilperson Mongold: Is that going to be broadcast on the web?

Councilman Jaehnig: Yes and we are going to be broadcast live on the web this year. A gentleman by the name of Lee Hendee will be video taping it and broadcasting it live on the web. Knock on wood, we'll see how it turns out.

President Ertel: What website?

Councilman Jaehnig: Go check on Holidazzle facebook.com. It's on there. I have no idea.

Larry Reinsmith: He is going to put it into the newspaper too, Fred.

President Ertel: Yes. If you would, that would be great.

Service Director Reinsmith: He's going to do it. I talked to him today.

President Ertel: That would be great.

Councilman Jaehnig: One of the new things, when you come to the parade this year, make sure you go to the courthouse lawn. We are doing a very large holiday card for the community as part of the Bicentennial. It will be kind of like a time capsule of those that were here in the county at the time. They are actually looking to hopefully also break a Guinness Record. The most signatures in a single card is 6,000. Their goal is 20,000 signatures for this card. It will be set up on the courthouse lawn on Holidazzle day, so make sure you stop over there and sign it if you have not. The Wilmington High School FFA is doing an incredible job, and we would never get Holidazzle on the street without them. Thank you all very much.

President Ertel: Very good. Thank you. Sounds great.

President Ertel again asked if anybody else wishes to address.

Paul Hunter – No report, Mr. President.

[Laughter and Applause]

President Ertel: Thank you, Paul. Excellent.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk