

Wilmington City Council met on Thursday, May 5, 2011, with President Fred Ertel presiding.

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

Assistant Chief Duane Weyand was also present.

A motion was made by Wallace and seconded by Mongold 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 Mongold to approve the minutes of the last regular meeting, April 21, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: At this time, I would like to recognize Christine Hodgson for the Wilmington Tree Commission, Annual Report, Arbor Day and Memorial Trees. If you would, come to the podium please.

Christine Hodgson: Thank you very much for allowing me to address City Council. It has been about a year now since Mayor Raizk reappointed or reinstated the Wilmington Tree Commission. Presently we have eight members on our Commission. Rob Jaehnig and Tammy McKay are here tonight, too, and they are on our Commission. I would like the opportunity to interact with you and tell you an annual report of what we have been doing so far, which I think we have done and accomplished quite a bit. Again, it was on Arbor Day of last year, which was on the 30th of April, that we held an Arbor Day Ceremony at Galvin Park and planted a European horse-chestnut tree in honor of Arbor Day. Then, the Commission decided that it was a good idea to get a grasp of what the conditions of some of the trees were in the public right-of-ways in Wilmington. It took two days. We conducted a hazardous tree survey throughout the entire city. With that, we looked at the trees and the conditions of what needed to be pruned, maintained and what needed to be removed. We designated over 50 trees within the City that we thought were in pretty poor condition. They were a hazard to public safety. I believe in last October I did address City Council and gave my report and a spreadsheet of where these trees were located... a map and their condition... for the members of Council. So that was completed, again, in August of last year. Then, in terms of funding, we kind of knew coming in that there were not going to be any public funds directed our way to plant trees or to maintain the trees in Wilmington. We were fortunate enough to get a \$5000 donation through the Clinton County Environmental Preservation Society, which we really appreciated. Then, in August of last year, we decided to start a little public campaign called "Re-Leaf Wilmington." We have flyer that went out in the water bills in the month of August. With that, we generated about \$500 toward planting new trees in Wilmington. We thought that was a great opportunity to expose ourselves to the community plus get a few private donations. Then, in March of this year, we decided to honor some of our residents, past and present, and develop a tribute tree program... not necessarily trees planted on the streets, but in public parks and so on. Again, the public could wish their loved one to be honored and have a tree planted in their name. We did designate that as a Tribute Tree Program. In March of this year, we developed a brochure, which I believe council has had in the past. Tammy does have some if you are interested. This was all going to be launched on Arbor Day of this year, April 29, but we found out that if we started planting trees they would just be in a big old pile of mud and big deep water, so we had to postpone our Tribute Tree Dedication Ceremony, and we still haven't really set a date. The trees are waiting to be planted. We are just hoping that the ground conditions improve. The Tribute Tree area that we designated is along Fife Avenue at the entrance of the 4-C bikeway. We thought this would be nice to start lining that bikeway path with trees in honor of past and present residents of Wilmington. We

have eight going in sometime, hopefully in the next couple of weeks, and then we will be rescheduling our dedication ceremony at that time and we will make sure that City Council is informed of that. The other activities in the past year, we have designed a logo, and then also one of our members, Christine Krisa, she is very good about writing "Tree of the Month." Hopefully, you have seen some of those articles in the paper. She does a nice, nice job in just highlighting some of the special trees that we can see within our City. With that, I will be glad to answer any questions.

Councilman McKay: Those tribute trees...what type of trees are they?

Christine Hodgson: We're planting two species of oaks – four of each – four swamp white and four northern red oaks. We are honoring two people. The Clinton County Environmental Preservation Society asked that we honor Dr. Nathan Hale and Fred Anliot. Four trees will be planted in their honor. Then we thought it might be nice to honor the original founding Wilmington Tree Commission members, which included Ed Loving, Hugh Heiland, Lois Shoemaker, and Nathan was on that committee also. So, they will also be recognized.

Councilman Jaehnig: Just to clarify...I don't know if Mark was intending to go this way, but I thought about it, if somebody is interested in it, are they limited to those types of oaks or are we going to be looking at all kinds of different type of trees?

Chris Hodgson: All different types of species. We just thought we would start with the oaks at this time because they're kind of long-lived and so on.

Councilman McKay: What is the cost of these?

Chris Hodgson: \$500. That includes the tree, the planting. We're going to put water bags on them, mulch, staking, deer protection, so that \$500 will include all of that.

Councilman McKay: Do you get a one-year warranty?

[Laughter]

Councilman Wells: I have a question about that too. If something were to happen to the tree, is it insured? If it would...

Chris Hodgson: We've tossed that around. I guess we haven't publically made a commitment, but I think, Yes. Personally...

Tammy McKay: These are good-size trees.

Chris Hodgson: These are two-inch caliber trees that are going in, so these are not small little whips. These are substantial. The Tree Commission realizes that we have to make a commitment to maintain those trees through watering. That is going to have to be part of it, so that we are doing our best to make sure that those trees survive, as opposed to just planting them and walking away.

Tammy McKay: And we would like to have volunteers join us.

Chris Hodgson: Yes, yes. We are hoping to get a nice membership base, a watering crew, that can help us with that endeavor.

Councilman Wallace: Are we beyond the emerald ash borer situation...is it upcoming...are they here?

Chris Hodgson: They're in Wilmington now. They found them at the fairgrounds. That was discovered back in June. In fact, it was right after the fair because I remember there was one gentleman...maybe it was August when we looked at those trees. They are just riddled at the fairgrounds, so it's here. A lot of cities planted tons and tons of ash because they were kind of a hearty tree. The nice thing about Wilmington is there is not a lot of ash in public right-of-ways in Wilmington. You're kind of fortunate. You're very

heavy on the maples and those maples are just getting very old and falling apart. The emerald ash borer is here. It is now statewide. They used to have quarantines. Warren County was quarantined. Clinton County was not. Now the entire state – they have lifted the quarantines, so you can transport materials across county lines without...

Mayor Raizk: They are here...how long will they stay?

Chris Hodgson: As long as there are ash trees available to feed on. They'll feed anything down to two-inch material.

Mayor Raizk: Then, as the food supply gets lower, then they'll move on.

Chris Hodgson: They will move on. So, as part of the commission, we are not recommending that we plant any ash trees. Fortunately for the city, you don't have thousands of ash trees on the streets that you are going to have to anticipate removing dead trees all over the place. It is kind of lucky in that respect.

Councilman Jaehnig: Have they trussed the tree at the fairgrounds yet? How long should you wait until they do it.

Chris Hodgson: I think they were notified, but the last time I was out there, and that was probably early winter, they were still standing. Right behind the fairgrounds is all that open property, that wooded area, and I'm sure it is just working that way. Is that the Textron property?

Mayor Raizk: That's our property. I think we own those trees now. We haven't been through the woods...have you?

Clerk Laura Curliss: No, but I'm sure...

Mayor Raizk: I don't know how much ash is in there.

Chris Hodgson: I think there is probably ash, but there are no trails. It is a closed woods. People could go in there, but it is not like a park where you're inviting people. You may want to keep an eye open for the Denver Williams Park because of those wooded areas. It has a lot of walnut, but you do have some ash in there. You do have trails, so it would be a good idea to monitor those.

Councilman Wells: Getting back to the tribute trees, will there be a little plaque of some kind to designate who that is for?

Chris Hodgson: No. We are going to have a temporary tag – a certificate to the family members of the honorees. The problem with plaques is that they get damaged and stolen and you can spend all of your money replacing plaques. So, we decided, no plaques. So, we are going to do our best. Then we were talking about developing a booklet pinpointing locations as the program progresses and then we can have a nice little booklet available to people. Thank you so much, I appreciate the opportunity.

Mayor Raizk: You don't have a date for the new Arbor Day yet?

Chris Hodgson: No. The new Arbor Day...as soon as we get those trees in the ground...if it ever stops raining...we will get them in and then we will notify everybody.

President Ertel: Very good. That completes my portion. Mr. Mayor?

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

President Ertel: Thank you, Mr. Mayor. Committee reports. Asset, Acquisition and Use?

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

President Ertel: Thank you. Mr. Auditor?

Auditor – Auditor David Hollingsworth: No report, Mr. President. I would like to mention, though, that I see the Finance Committee meeting has been canceled for Monday, but I will be preparing an up-to-date general fund analysis. I think we were waiting (and I will get with Marque and Paul) to see if there were any big checks that came in after... I think the 30th fell on Saturday. I would like to get to a point where we can compare this time last year to see where we were at and kind of project out. The first quarter is probably our biggest quarter for income tax collections, so we can kind of gauge where we will be for the end of the year.

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

Finance Committee – Chairperson Sandy Mongold: We have no legislation tonight. We did cancel the meeting next Monday. It will be rescheduled into the next week. We will let you know. Thank you.

President Ertel: Thank you. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Streets Committee – In the absence of Chairperson Peterson, Councilman Wallace: On behalf of Councilwoman Peterson, I will take over on that one. We have a second reading on the agenda this evening to change the traffic control map. It was discussed a little bit last time. Do we have any other questions?

A motion was made by Wallace and seconded by Wells to give the second 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.

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

President Ertel: Thank you. 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 Committee?

Judiciary Committee: Chairperson Rob Jaehnig: We have one item tonight, Mr. President. While the agenda says three readings, I would like to do just one reading tonight on a resolution authorizing a UDAG loan to Amanda Boldman, owner of The Cutting Room, and declaring an emergency. This is for repairs and upkeep to the exterior of The Cutting Room. The porch, in particular, is in real need of repair. That is the topic there.

Councilman McKay: I would also say that it is in conjunction with the Tier II. This is the reason that the city is being involved in this. It simplifies this type of repair work for properties that are involved in the grant process.

Councilman Jaehnig: Thank you. That is a very good point.

A motion was made by Jaehnig and seconded by McKay to give the first reading only on the resolution Authorizing a UDAG Loan to Amanda Boldman and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

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

Councilman Jaehnig: That is it for Judiciary, sir.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: We have one item tonight. It will be three readings on a resolution authorizing an agreement for the boarding of prisoners at the Clinton County jail. Our contract expired in April. That is why we will proceed with three readings tonight. It expired because we were negotiating a new contract, which is a nice, favorable improvement financially for the city. We were averaging 12 beds in the past but only really using an average much lower than that. So, we are lowering our bed hold to nine, which will reduce our yearly expenditures quite a bit with that. So, that is why the delay. Are there any other questions?

A motion was made by Jaehnig and seconded by Mongold to give the first reading only on a resolution Authorizing an Agreement for the Boarding of Prisoners at the Clinton County Jail and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

A motion was made by Jaehnig and seconded by Mongold 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 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. 2239 passed as read.

Councilman Jaehnig: That is all I have on our agenda, Mr. President.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – No report, Mr. President.

President Ertel: Thank you. Parks & Recreation?

Parks and Recreation Committee - Convener Bob Mead: No report, Mr. President.

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

Service Director- Service Director Larry Reinsmith: I just love information. I met with some ODOT engineers. They said they really have to get on this project. It has to be done really quick. They are going to replace the bridge out on S. South Street, down by the car wash. Work is supposed to start in the spring of 2013. I said, "Well, that's quite a bit away." They said that usually with ODOT's schedule is eight or nine years out. They are going to replace the whole bridge. As I talked with them, I got them to agree to put sidewalks in on both sides of the bridge. Also, on the west side, they're going to extend the sidewalk all the way up to Woodland Drive. On the east side, they're going to start at the little mall that Looney owned and come all the way to Creek Drive. I think that was one of the Safe Routes to Schools project as a project way down the road, so we'll get a good deal of this put in already. We have the easy part to do from there up to Short Street. You know, when we were out there meeting, people were coming down the hill on that side...four and five at a time...trucks coming and just missing them. I go, "Yeah, that's a real problem." They'll have to shut that bridge down for 45 days. There will be detours, and we have to displace a homeless person out there.

[Banter regarding project]

Service Director Reinsmith: I think that is kind of nice. ODOT is paying for everything. We don't have any match.

Councilman Jaehnig: And that will be 2013?

Service Director Reinsmith: Spring of 2013. It is in next year's budget, July 1, 2012, they will engineer it and sell it then. They'll start it right at the break of spring.

Councilman Wells: Can I ask a question? I received a letter from Brian and Rachel Brooks on Meadow Ridge Circle in Timber Glen. They were asking about the status of getting the subdivision completed with the paving. Do we have any status on that at all?

Service Director Reinsmith: No. The fact is, they are not even mowing the subdivisions. Michelle sent them letters and they came back undeliverable. So, she did a little checking up there in Columbus. The office building that Keethler owned is for sale. She did a little digging more, and she found out that he filed bankruptcy in December. It all may belong to Wilmington Savings here real soon because they have the notes on that. Maybe we can deal with them better than we can with Keethler and Wiseman.

Mayor Raizk: Our first priority number one is to try to get the immediate situation of the mowing straightened around, but the long term is the capping of the streets. It is certainly not on the back burner, but we have to find someone to hold responsible.

Councilman Wells: Do we have a similar situation in Country Oaks?

Mayor Raizk: It is the same situation, essentially.

Service Director Reinsmith: Not as bad.

Mayor Raizk: Not as bad.

Councilman Jaehnig: It has been going on longer.

Mayor Raizk: It is not as bad because we were able to get the first section of Country Oaks capped and street lights in several years ago.

Service Director Reinsmith: I had a lady come in the other day wanting to buy the pool out there at Country Oaks. They said, they're on separate lots. I said, "I don't think we can let you do that." As we went through Planning Commission, there is a requirement for 5% green space or recreational area. I know originally they had a big park at the end of Country Oaks Drive planned out. Well, they came back and said, in lieu of all that park, can we put a swimming pool in for the people. So, that really is part of the required 5% green space. I think we will still have to face that battle and tell them they can't do it. That is coming up too. This woman felt that she could buy the pool and make money off of it selling memberships. But, I think that was a little incentive for people to buy out there...having a pool and party room and all of that. But, they never formed their association and no one is paying any dues to an association.

Assistant Chief Weyand: We paid one year.

Service Director Reinsmith: Did you? To who?

Assistant Chief Weyand: Keethler.

Service Director Reinsmith: Well, he tells me that it cost him \$20,000 to open that pool up last year because of the liability insurance and everything.

Mayor Raizk: Didn't Lauren go around to the residents?

Assistant Chief Weyand: She was out there doing something.

Mayor Raizk: I think she was trying to get signatures.

Service Director Reinsmith: I told Lauren that the best bet was to get the association formed. Then you can go up to them and have them And if they ever want to come up and sell it, we'll put the stops to it because it is part of the subdivision. Right now, it is locked up.

Mayor Raizk: There are some questions that need to get answered.

President Ertel: Very good. Safety Director?

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

Reports:

A motion was made by Wells and seconded by McKay to approve the Income Tax Report – April 2011, 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 Street. Just going by Fred's new rules, I didn't want to interrupt this ordinance reading. It says in the UDAG loan ordinance the application for Jim Burnett.

Clerk Laura Curliss: We changed it.

Mayor Raizk: That is why we are only having one reading because the correct documents will be available.

Paul Hunter: It's just a question.

Mayor Raizk: It was a typo.

Paul Hunter: I didn't want you to put in a bad ordinance.

Mayor Raizk: You were being vigilant.

Councilman Jaehnig: I would just like to thank Lee for being here. Obviously there are people watching, since my wife found it very funny to text me three times during the meeting tonight.

[Laughter]

Councilman Mead: Do you know if there is any activity or update on the Small Hearts, Big Smiles project.

President Ertel: It was out in the paper last week in regard to putting it on county land out by the engineer's office.

Councilman Mead: Well, that's their proposal. I just wondered if anything.

Mayor Raizk: Can I answer that?

Councilman Mead: Absolutely.

Mayor Raizk: As I explained to you and Mr. Wallace the other day, we really made a determination that the Stuckey Farm property is not appropriate. At the time it was reserved for them, because they needed a place to fundraise for, we really didn't do any research on it because we didn't know the extent of exactly what was going to go in there. Once that became clear, we realized...(this all happened just in April). In fact, the first meeting I had with Little Hearts Big Smiles was about three weeks ago. When we

saw that, we went out and did a topo on that ground. While it is a nice piece of ground, the realities of the fully accessible park on the type of topography that is out there is very challenging. There is a 12% slope on much of that ground. Because of ADA requirements and so forth, we need to be in way-less than 2%. Once we came to that conclusion that to be able to put it there, we would essentially have to change the entire topography there, moving a huge amount of dirt at a very high cost. While we could do some of it in-kind, some of it we could not. Some of the infrastructure improvements were just going to far exceed \$150,000 or more. In the city, there is not sewer in that site yet because there had not been any need to extend it. The closest sewer is about 1600 feet away, and the same for water. So, we looked at that. Then we decided to look for an alternative where we can put them. We reviewed all of our available ground. We found out that in David R. Williams Park by the soccer field we already have...first the infrastructure scenario is taken care of. They have done a lot of great fundraising. My goal is to have the bulk of their money to go toward their equipment and hopefully equipment replacement and those kinds of things rather than infrastructure. We have sewer available at that site. We actually already have a restroom there. Now, eventually, there will need to be a special restroom built because of the certain needs that are required. We have a very large parking lot that is available now that is already paved. Instead of putting people on gravel, it already has pavement. We, at least temporarily, on a plat laid out their first, second and third phases, and we found a spot there that was available to them. We made that presentation to them and it is still available to them. They said to me that they were going to look at that site and other sites as well. We stand ready to have that available to them if they so desire it. The good thing about that site is they could be operationally moving ahead very quickly because it is flat. As soon as the spring soccer program is over, which is like the end of this month, all that would really be required is to take off the top soil or grass, prepare the site. The only really major construction thing would be the ramp and a good accessible walkway from the parking lot to the site, which we could do pretty much in house, we think. At least for now, there is a restroom available. There is water and there is electric at the site as well. In fact, if you all look at that site, there is a transformer right there. That could be almost the corner, like the southwest corner of that site is about where that transformer scenario is. They would have available electric for lighting in the future, which is what they would like to have. So, we stand ready to make that site available to them. We can move on it as soon as they make a decision as to where they would want to go. Also, for the future, one of the things, if you remember, Whitaker was here last meeting, and with our CDBG, although we know it is going to be a little bit reduced this year, we have one major use for part of that money. What I would like to do, if they decide to go with that site, because that is money that will be six to eight months from now, I would like to reserve at least a significant portion of the rest of that money. We could put some of that money toward the new restroom that would service the site from the CDBG. It is acceptable for building the fully accessible restroom. That is what we are talking about now. It is kind of at the hands of their board. They are looking at some other sites. But, we do have an acceptable or at least we have something we think would be acceptable to them. If they so desire to have it, we stand ready to make it available to them.

Councilman Mead: Do you have any idea what their timetable is?

Mayor Raizk: I don't. They wanted to research the site across the road. Of course, it is not in the city, so it would not have the sewer, but maybe they would put in a septic system. I don't know. That would be the situation. I think they have something available if they so choose to have it, and we are prepared to move forward. We could move forward in a very timely fashion. We did also tell them that if they needed to take delivery on their equipment that we have made arrangements for a spot to store it for them. That is where we are. That is the latest I have, Bob.

Councilman Mead: Thanks, Mayor.

Mayor Raizk: Thank you.

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 Mongold and seconded by Wells to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk