

Wilmington City Council met on Thursday, June 21, 2012, with President Scott Kirchner presiding.

Roll Call: Jaehnig, present; Wells, absent; Stuckert, present; Wallace, present; Mead, present; Siebenaller, present; McKay, present.

Assistant Chief Duane Weyand was also present.

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

Council gave the Pledge of Allegiance to the flag.

President of Council asked cell phones to be set to silent mode.

President of Council

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

President Kirchner: The second item on my list tonight is a Notice to Legislative Authority from the Ohio Division of Liquor Control that the Limited Liability Company Disclosure Form for The Loft at Samuel Walkers, 64 W. Main Street, is on file with the Clerk of Council. Mr. Law Director, is that all that's necessary?

Councilman McKay: Is this is a change?

Councilman Jaehnig: It's a transfer of title of the new owners.

Mayor – Mayor Riley: I would like to step down and invite Wayne Smith and his family, if they would come on up. For those of you who don't know Wayne, Wayne Smith has been a fixture in downtown Wilmington for quite a few years – in fact, fifty. It doesn't happen that often that we get one person running a business and being an active member of our community for such a good long time. As a result, we have a proclamation for you, Wayne.

WHEREAS, For 50 years, since he first began his career working in George Moore's shop, Wayne Smith has been a barber in downtown Wilmington, Ohio. In 1964, he opened his own establishment and has owned and operated Smith's Barber Shop ever since; and

WHEREAS, During his career in the Wilmington Barber business, Wayne has cut more hair, listened to more yarns and told more stories than most people could do in a lifetime; and

WHEREAS, Wayne's Barber Shop is *the place* to go to find out what is happening in politics, sports, current events and topics of a more diverse nature than can be described here; and

WHEREAS, Wayne is so well-known, well-liked and admired that many local politicians stop in his shop just to see what is really going on the community.

NOW, THEREFORE, I, Randy Riley, Mayor of the City of Wilmington, Ohio, on behalf of all city residents, do hereby congratulate and recognize

WAYNE SMITH

as one of our finest citizens and recognizing that his 50 years of business is not over yet, we wish him many, many more years of hair cutting, listening and advice-giving to all the patrons of his shop.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED THIS SEAL OF THE CITY OF WILMINGTON, OHIO, TO BE AFFIXED THIS 21ST DAY OF JUNE IN THE YEAR OF OUR LORD TWO THOUSAND AND TWELVE
RANDY RILEY, MAYOR
CITY OF WILMINGTON, OHIO

[Hearty applause]

Councilman McKay: I know Wayne doesn't want to make a speech, and he won't, but there are a few things of note that really should be said also. Don is not here tonight, but he cuts Don Wells' hair on a regular basis, my hair for fifty years, and Bob Mead's hair. He also cut my father's hair, and George cut my father's hair before you.

[Banter]

Councilman McKay: We skipped a generation because I had daughters, so they did not get the benefit of Wayne's wonderful abilities and the things that he can help you out with – what I call “life's little lessons.” But, my grandson got his first haircut from Wayne also. So, those are just some of the achievements. Thank you very much, sir.

[Applause]

Councilman McKay: Actually, Wayne has been through a couple of things recently that would have knocked most people down, but he is still kicking.

Mayor Riley: I have a few other things. A couple of weeks ago, I noted that there – and I don't think Gary Huffenberger was here a couple of weeks ago, but I had noted that I had received an email that was directed to Gary Huffenberger from the City Manager of Latrobe, Pennsylvania, challenging us about claiming to be the originator of the Banana Split. Since our Banana Split Festival has come and gone and was very successful, I decided that I would respond to Mr. Graziani, so he received this email today. I have a copy for you, Huff.

Greetings to our friends in Latrobe, Pennsylvania, from your good friends in beautiful Wilmington, Ohio, birthplace of the true banana split. I truly appreciate the offer of a case of ice cream from Valley Dairy and a case of bananas. Of course, we at the birthplace of the true banana split know that it takes a lot more than ice cream and bananas to whip up this tasty treat. Our version of the true banana split includes ingredients such as chocolate syrup, strawberry topping, pineapple topping, whipped cream, a sprinkling of crushed nuts and a cherry on top. Although our claim to the banana split and the Banana Split Festival are, in our minds, at least, rock solid, we do concede that Latrobe is the home of the best lager ever made, Rolling Rock. Rolling Rock has been one of my personal favorites for years. As a result, Latrobe has always had a special place in my lager-loving heart. I know that much has been made of the mystery number 33 on the label of each Rolling Rock that is produced. And if you have ever seen a bottle of Rolling Rock beer, there is a number 33 on the front of it. There are probably a dozen different theories as to what that truly means. So, I gave him ours. My theory is that your forefathers in Latrobe used that as a secret tip of the hat to Wilmington's invention of the banana split. Count the number of letters in the following sentence: Wilmington: the home of the banana split. You counted right. It equals the mysterious number 33. We just wrapped up another great weekend of fun at our banana split festival. I would love to have you visit us next year during the festival. In exchange for a case of Rolling Rock, I am sure I can get you in as a celebrity judge at the Master Banana split-making contest. Best wishes to you, your mayor, council and all the fine citizens of Latrobe. Sincerely, Randy Riley. So, we're having fun with our brothers and

sisters in Latrobe. I'm sure that will make it to their newspaper at some point. This isn't exactly in Wilmington, but it is in Clinton County, and we'll probably get some help from this, but there has been in Hillsboro, Ohio, for a number of years a weekly Saturday night barn dance. In case you haven't heard, they are moving that to Clinton County. It will be out at 73 and 71 where Alma has her cheese barn. So, if you want something fun to do on Saturday night in and around Wilmington, the Richard Lynch Band will be at the Keeping it Country Saturday Night Barn Dance. I believe that's all I have, Scott.

President Kirchner: Very good, Mr. Mayor. Excellent work on the identification of the magic 33 mystery.

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

Asset, Acquisition and Use – Chairperson Bob Mead had no report.

Finance Committee – Chairperson Bob Mead: We do have three items on the agenda this evening. The first item is the second and third readings on an ordinance making miscellaneous transfers. Those transfers are in your packet and they have to do with moving money from communication salaries to civil service incidentals, \$5500.

A motion was made by Mead and seconded by McKay to suspend the rules and give the second and third reading on the ordinance Making Miscellaneous Transfers.

President asked for discussion.

Seeing none, President called for a roll call vote

Roll call: Jaehnig, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes.

Motion passed.

President of Council declared Ord. No. 5028 passed as read.

Councilman Mead: The next item on the agenda is going to be three readings on an ordinance making supplemental appropriations. This item has to do with moving money to the sum of \$61,760 from the Waste Fund to the Capital Equipment Fund for the purpose of purchasing and installing a scale to weigh the solid waste coming and/or going from the landfill.

A motion was made by Mead and seconded by Stuckert to give the first reading only on the ordinance Making Supplemental Appropriations.

President asked for discussion.

Paul Hunter: That's for the scale, right?

President Kirchner: It is. For the drive-on scale.

President called for vote.

Motion passed

Director of Law read ordinance by title only.

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

Roll call: Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes;

Director of Law read the ordinance by title only.

A motion was made by Mead and seconded by Stuckert to pass the ordinance as read.

Roll call: Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Stuckert, yes.

Motion passed.

President of Council declared Ord. No. 5029 passed as read.

Councilman Mead: The next item on the agenda is going to be three readings on an ordinance providing issuance and sale of various purpose notes in the aggregate principal amount of \$902,500 in anticipation of the issuance of bonds. You have this thing in your packet and you can read it. It has to do with the bond and the notes that they pay on each year. It has to do with the extension of Lowes Drive, expansion of the city's landfill and David's Drive. Each year they are making payments on the notes for those projects that are lumped into one.

A motion was made by Mead and seconded by Stuckert to give the first reading only on the ordinance Providing for the Issuance and Sale of Various Purpose Notes in the Aggregate Principal Amount of \$902,500 in Anticipation of the Issuance of Bonds, for the Purpose of Discharging at Maturity Notes Heretofore Issued to Pay Part of the Costs of Constructing (I) Lowes Rod and Related Improvements, (II) An Extension to Davids Drive, and (III) Vertical Expansion of the City's Landfill, and Paying Related lawful Costs, and Declaring an Emergency.

President asked for discussion.

Seeing none, President called for vote.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mead and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Stuckert, yes; Wallace, yes.

Director of Law read the ordinance by title only.

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

Roll call: Siebenaller, yes; McKay, yes; Jaehnig, yes; Stuckert, yes; Wallace, yes; Mead, yes.

Motion passed.

President of Council declared Ord. No. 5030 passed as read.

Councilman Mead: That is all we have this evening for Finance Committee.

President Kirchner: Very good. Before we continue with committee reports, I would offer one thought, and I think perhaps law school was a terrible waste of talent seeing your ability to potentially read disclaimers on radio commercials. That was very impressive, Mr. Law Director. The mayor has also asked to return to an item that he wanted to add to his portion of the agenda.

Mayor Riley: I'm sorry I passed over this. One of the things that I want to do for the citizens and also for council, is you hear from Larry Reinsmith, who by the way is absent today, and you hear from Russ Burton, our Safety Director on a regular basis, but the other supervisors and superintendents and directors, you don't really get that much of a chance to meet and hear from. One of the things that I plan on doing is during my section of the agenda for the next as long as it takes, I'm going to invite someone in to talk about a topic that needs some clarification, needs some follow-up and gives an opportunity for a little discourse – questions and answers if you so choose. I've asked Danny Mongold to come today to talk about what I think is a very confusing topic, which is the civil service laws and how civil service affects the City of Wilmington. This issue goes back well over 100 years. It was in the late 1800s that civil service law was first passed, and it was as a result of, actually, the assassination of President Garfield because your history professors will remember this. It was a disgruntled office seeker who shot him. As a result of all of that, they decided that it was not going to be political favor handing out anymore, it was going to be a tested procedure. As a result, all civil service jobs are now tested. You have to take a test to pass the civil service laws. In Wilmington, being a statutory city as opposed to a charter service, having to abide by all of the laws in the Ohio Revised Code having to do with cities, we are a statutory city. We have to obey all of the civil service law. Danny handles all of this for us. Come on up, Danny, if you would.

Danny Mongold: Good evening. Randy did ask me to come in and speak a little bit about our employees and how we do government here at the city. We are governed under the collective bargaining units as well as Civil Service ORC. So, we have different

things that we have to do when we go to hire people or promote people or even abolish jobs and things like that. We have to go through a whole big process. To lay-off people, there's probably, when we did the lay-offs in 2010, there were probably, I'm going to say, 10-12-15 pages of rules and regulations just to lay-off. I think I gave one of them to Bob Mead. You said, "Wow, that's a lot of paperwork." That's the kind of things that we get into when we deal with civil service laws, Ohio Revised Code and bargaining units. It's like the mayor said, we are a statutory city, so we do have to abide by those rules and regulations. One thing that came up that the mayor talked about was the 35-hour work weeks that someone had talked about, cutting hours. Basically, under the 124.34A Ohio Revised Code speaks directly to that. What it says is that just as a cutback of all employees to do 35 hours, you can't do that under the Ohio Revised Code. The reason that you can't do that is because it talks about pay and position as well as some other things that you can't do just across the board. Now, there are exceptions naturally, and that would be moral conduct, neglect of duty, insubordination and things like that. The key to that is, it is all bound under cause or just cause or disciplinary action. So, what is the Ohio Revised Code under 124.34(a) says is the only way you can do that is for cause, and cause means a disciplinary action. So, I wanted to make sure that that was clear with everyone. Even though it says what it says, a reduction of hours is a reduction of pay, so that would fall under that category.

President Kirchner: Does the ORC forbid the employees from voluntarily offering a furlough program that would reduce their own hours.

Danny Mongold: No, it does not. Actually, I'm glad you brought that up. In 2010, we processed a furlough program. It began in April 2010. We had (and I'm going from memory here) 17 employees that did 79 days of furlough days, which amounted to somewhere between \$15,000 and \$17,000 in savings. The next year, we had four people. I believe the reason for that is, number one, we couldn't make it mandatory. We can't do a mandatory furlough program. It was voluntary. Well, the first year, we did have some people step forward and do that. The second year, I think that would have been the third year of no increase for the employees, we didn't get such a good turn out on that. This year, I believe maybe we've had one or two people do one or two days. But the program is there, and supervisors do know about it and employees do know about it, so I am hoping that there are some more people who take advantage of it.

Mayor Riley: Just in the last week or so, we sent out a reminder to everyone about the furlough program, encouraging them to utilize the furlough program to save some money in their departments. One of the caveats of that that I noted in the note that I sent out to all of the supervisors was go ahead and allow your people to take time out without holiday or vacation time, just furlough time, unless you have to pay time and a half to cover for that person. Then it ends up costing us more money. So, there are a few caveats in that. But, if someone wants to take some time off to take the grandkids fishing or whatever, we encourage them to do that.

President Kirchner: Is it limited to those that have grandchildren now?

Councilman Jaehnig: I'm just looking for a little bit of clarification of the furlough. If somebody takes a furlough when they still have vacation available to them or personal time or whatever is available, are they allowed then to bank that for the future also?

Danny Mongold: The vacation? Your speaking of?

Councilman Jaehnig: Right.

Danny Mongold: Currently yes, they do. One thing is, when they take a furlough day, though, they do not get billed any sick leave or vacation time. So, when they take a no-pay day that is truly a no-pay day, there is nothing else built into that.

Councilman Jaehnig: And it affects the amount of money that is being used to determine their pension and so forth.

Danny Mongold: Correct.

Councilman Wallace: But you're not saying if someone takes those furlough days and they were injured during that day that the insurance would not cover them.

Danny Mongold: No. I'm not saying that.

Paul Hunter: So, they are not enrolled in the health insurance for that time period?

Councilman Jaehnig: No. They are.

Danny Mongold: No, they would not do that, Paul. We would keep that available. Absolutely. Back to the 35-hour thing. There is a way that you could do that, and I am not suggesting it by any means. Actually, there are two different things you could do. You could lay off everybody that would come up to that amount of hours that you're speaking of. When I say everybody, I don't mean everybody. I'm talking about the equivalent of hours that would be to what you've talked about. How many people that would be? I don't know. I haven't done the calculations on that. Secondly, and I'm not recommending this either, I'm just telling you this as a matter of fact, you could lay off every employee in the city. You could then abolish those positions through civil service. Then we would have to recreate those positions, whatever that may be as far as job titles, job descriptions or whatever, then we would have to re-rate those positions. Which means we would have to look at what those salaries could be. They could be, who knows, the same, higher, lower, I don't know what that would be. Then, we could recall the employee. Somewhere in that mess there could be unemployment paid. There could be potential lawsuits from civil service employees and so on and so on. I don't know that that would be; I'm just telling you that would be a second way to do that. Like I said, I don't recommend doing that, but I wanted to tell you that it's a way.

Councilman Jaehnig: The third method would be to change the form of government from a statutory to a charter.

Danny Mongold: It would be.

Mayor Riley: Currently the State of Ohio, the Director of the State Personnel Board of Review, sort of operates as the top person in Human Resources for the state and determines these types of situations. In the City of Wilmington, we do have our own Civil Service Commission. The commission is appointed by the mayor and we currently have on the Civil Service Commission, Connie Hardie, Greg Law and Kevin Snarr, who serve as the Wilmington Civil Service Commission. Any questions involving the employment of, really anybody in the city, or as Danny noted, if we change job descriptions, they could appeal to the Civil Service Commission and have their job re-rated. It would be up to our Civil Service Commission who act completely independently. Even though they are appointed by the mayor, they are independent to make any determination that they feel is lawful based on the Ohio Revised Code. It is a complex situation.

Danny Mongold: Any disciplinary on non-bargaining units employees – the Civil Service has the final say on that. On the bargaining side, it would be a mediator or arbitrator of binding arbitration. There is a difference there. But, Civil Service Commission would have the final say in a civil service employee disciplinary action.

President Kirchner: Danny, it is my understanding that in many of the cities where they have moved from statutory to charter, the existing employees often are grandfathered in and would remain under the old descriptions, pay scales and things of that nature to avoid legal...

Danny Mongold: I think that's probably right, Scott, but I think there could be different things done. How it's presented, the whole package deal would be with existing employees and civil service and all that. I leave out South End here, they were PERS and I don't believe they are now. You could answer that more than I could, Randy. CMH?

Mayor Riley: Correct.

Danny Mongold: There's a way to do that, I suppose. I'm certainly not advocating that, because I'm always and advocate for the employees to a certain extent.

Mayor Riley: One of the biggest difference that I have seen in my career working in both basically the private sector and in civil service. In the private sector, using the hospital as an example. Hospital personnel, if your patient census is really low and you've got five people on the floor but you only need three, you can send two people home. They can take vacation day or holiday time if they have it, but if they don't have it or don't want to use it, you can send them home without pay. In the public sector, city employees, you cannot do that. You can't cut their wages or pay them any less unless they are willing to take a voluntary furlough day for that, regardless of what the work schedule might be.

Danny Mongold: That's it. Thank you for your time.

Paul Hunter: Danny, would you explain the difference between at-will employees and civil service employees. For the audience. These guys all know it.

Danny Mongold: Ohio is an at-will state. Basically what that means, and correct me Brian, if I'm wrong, it's really a grain of salt type deal any more. Because there are so many rules and regulations. The at-will thing means that you can quit at anytime you want and the employer can terminate you at any time they want...

Paul Hunter: Without cause.

Danny Mongold: But believe me, that doesn't work in today's society. There's ways to get around that also. So, if when they say an at-will state, in my opinion, that really means nothing.

Paul Hunter: Because of legal complications.

Danny Mongold: Because of all the legal complications for anything. Anybody can sue anybody for anything at any time for any reason.

Paul Hunter: That's on the bargaining units...

Danny Mongold: As far as?

Paul Hunter: In the city, our two bargaining units...

Danny Mongold: Well, we have three, Paul. We have three bargaining units. We have sergeants, we have the FOP Blue and we have IAFF firefighters. Those contracts are all coming up this fall, so we'll start negotiations in August. The current contracts go through 12/31 of this year, so we'll be bargaining and see where we're out and see how that's all going to shake out in the fall.

President Kirchner: Danny, based on the civil service law, if the city has run out of money, would they still be required to keep everyone on the payroll?

Danny Mongold: Economic factor is not a factor in the 124.34. It's only for cause, for just cause, and for any disciplinary action. It states that right in the book. Economic factors are not a cause for that.

President Kirchner: Okay. So, in spite of the fact that it may make the city go bankrupt and be unable to provide for the citizens, every position created by the council at any mayor's request would always be a burden under civil service is what you're indicating.

Danny Mongold: Unless it's for disciplinary reasons, yes. Or the other things that I suggested that you could do.

Councilman Jaehnig: I'm not sure that that is correct.

Mayor Riley: You would have to eliminate positions completely.

Councilman Jaehnig: Workflow adjustment. For example, with the reduction of the firefighters. That was economic.

Danny Mongold: But it wasn't everyone.

Councilman Jaehnig: No it wasn't anyone. But if you have a certain department or a certain pay level or job description and you have too many employees, you can reduce the number of employees due to lack of work or economic downturn.

Mayor Riley: Part of that is also a difference, Rob, between civil service employees and employees that are governed by a union contract.

Councilman Jaehnig: Correct. But the bargaining is actually the more difficult of the two, in my understanding. If there is a downturn in work, if there is a reduction in work due to an economic downturn for whatever reason, you can, to my knowledge, reduce your workforce to readjust. Hence, when DHL shut down and the righting of the work force that occurred at that time, is a perfect example.

Danny Mongold: The only thing that I can say in that is that the interpretation of that...it clearly spells that out in there...it says economic downturn. I don't know what that means...I'm not an attorney...as far as everybody, but that's the interpretation that we are using. Brian would you like to add anything.

Brian Shidaker: Well, I'm not a labor attorney, and there are criteria in the statute. You can eliminate positions...not necessarily certain people, but positions can be eliminated. And then there is a whole process on bumping people. They've got first rights on this position. They move all around. I can look into it, but there's a certain criteria.

Councilman Jaehnig: We had three building permit clerks because we had so much building going on and then all of a sudden the building completely reduced and went to nothing, and we only needed one to process whatever we had. The work had disappeared. The work had disappeared at that point. Based upon the way the rules work, you can, because there is no work, reduce that position by two positions. You can call it whatever you want, whether it's economic or lack of work or whatever. You can make those types of adjustments.

Mayor Riley: And I think in that situation, eliminating two positions, for example. Any one of those two could basically challenge anyone else's position in the city. They could bump somebody else if they qualified for one of the other jobs.

Danny Mongold: And it's like jobs and...

Councilman Jaehnig: A domino effect.

Law Director Shidaker: And it's open to interpretation, too, what is a like job, which also opens up the lawsuits.

President Kirchner: Many things legally are open to interpretation.

Danny Mongold: Thanks everybody.

Mayor Riley: I would like to bring someone every time we meet, if that's okay with you folks.

President Kirchner: I will offer, the understanding of the legalities are exactly why back when we had our budget work sessions, I shared the concept of the employees partnering with council in a voluntary manner to come forward with a voluntary furlough program. The idea of a mandatory one obviously has legal implications, but the 1.3 million dollar deficit has significant implications too. If they were to come forward with a program of voluntary furlough in the 35-hour range, every employee in the General Fund or that

receive budgetary transfer from the General Fund, it would make over a \$500,000 impact to the \$1.3 million budget deficit. That was why I had encouraged the employees to try and see if they had the ability to partner with the council.

John Schum: Mr. President, would that affect their full-time status as a full-time employee if they were reduced to 35 hours.

President Kirchner: Again, based on Danny's indication, a voluntary furlough program does not remove them from insurance capability/full-time status. It's just time without pay on a voluntary status. That's one of the whole reasons for it to be a voluntary program.

Law Director Shidaker: I think if you're above 32 hours, it doesn't affect the full-time status.

Mayor Riley: There is a difference between full-time benefits and part-time benefits. You're right on that, John.

Linda Gallagher: Has anyone surveyed the employees to find out why there has been such a reduction in the number of employees who have voluntarily opted for the furlough hours.

Mayor Riley: Danny, go ahead with that.

Danny Mongold: I can speak a little bit to that. I haven't taken a survey, but I've spoken to several. It's because they haven't gotten raises for four or five years now, and they just can't afford it.

Mayor Riley: Bottom line, I think, Linda, that's it. They just can't afford it. We've also had a significant reduction in our forces, just through attrition. We haven't hired anyone other than a few key safety people in the past several years, so we don't have the people to back them up and work continues to build. Like I mentioned earlier, if somebody is going to take a furlough day but the superintendent of that department has to pay somebody to do their work at time and a half on their day off or something, that certainly defeats the purposes. So, everything needs to align that you have a slow day, you don't want to burn vacation time or holiday time, you just want to take a day off without pay, you can do that. But, as Danny stated, that doesn't happen quite the way it did about three years ago.

John Schum: Those of us who are retired that have had experience in doing any number of things while we were working, is it possible for us to volunteer to help take up some of the slack should the city experience a need for people that are experienced in certain fields just to volunteer to come in and help out. Is there a provision for that?

Mayor Riley: Yes.

John Schum: Or would we be stepping on somebody's toes.

Mayor Riley: The Parks Department, for one, is certainly anxious to have many more volunteers. A lot of those services that we provide throughout the city, it takes a little bit of training. Even to ride the back of trash trucks safely, it takes a significant amount of training, but handling equipment, working in the Water Department, Sewer Department, you can't just jump in and volunteer there too much.

Paul Hunter: There are insurance issues as well, because you've got to be covered.

Mayor Riley: The one place that we have been utilizing a lot of volunteers lately is the recreation department. If you are interested, please contact Lori Williams. She would love to have some more help.

President Kirchner: Danny, you did indicate that for positions that are vacant, if the city has found that they don't need them, it would not be a problem where there is no one in it and the work doesn't exist for us to eliminate them. Correct?

Danny Mongold: Eliminate the position?

President Kirchner: The position. Yes. Because there's no one in it.

Danny Mongold: No, there isn't. The only thing is that in good times, which I hope are soon, if that position is needed, it's tough to go back to Civil Service and ask to have that put back in. I mean, we can do it, but sometimes they look at you like, "You just eliminated that last year." It doesn't hurt anything to be on the classification plan as long as it is not filled. It doesn't hurt anything to stay there, maintenance worker or what have you. It serves no purpose. It doesn't make any difference for paperwork or anything like that. The only report for the amount of employees we have. We don't count the positions, for the PERS stuff, the OSHA stuff, it's only done by the amount of employees we have. To answer your question – you can abolish. You can. If you want to bring it back...the Civil Service, that's their option to bring it back.

Councilman Jaehnig: In that particular case, it's a position that we don't see an immediate need for and in an effort to not make it difficult to bring it back, we could still put legislation forth showing that the workforce needed for that position currently is zero and it stays on the books and then if the city determined at a later date that they needed that position back, they could come back and council could then reinstate it and not have to go through civil service?

Danny Mongold: It stays on the books now. It's on your classification plan. It's never taken off unless somebody asks to have it abolished. If we don't fill a position, we still leave it in the mayor's office on the classification plan. It's there. It doesn't come off; it doesn't mean anything, other than there's a title there and no employee.

Councilman Jaehnig: And it costs nothing.

Danny Mongold: It costs nothing. No. So, I mean...

Councilman Jaehnig: I'm sorry. Maybe it's a misunderstanding. I was under the impression that most of those positions had numbers next to them as the max that could be put in those positions.

Danny Mongold: No. That's a range number – like a 10 or a 4 or a 6 or a 15. That's just the range number of the classification pay plan that they're in. That's not the number of employees. Unless you have one that you asked personnel to give you the number of employees in departments. If you have that, then that could be, but if you look at it straight as it is right now, the numbers to the left are just the pay range for that position.

Councilman Jaehnig: I thought at one time we had, especially with the Police Department back before DHL was leaving. There was a request to increase the number of officers. That went through safety and I remember working on that. That had to do, well, according to our ordinance, there's only a certain number we're allowed to have. We were going through an increase then, so that is why I was thinking there was something like that assigned to all of the departments and all of the positions. So, I'm incorrect on that?

Danny Mongold: The police are not on the classification plan. They are on their own pay schedule. What you had done was for the Police per se for ordinance purposes.

Paul Hunter: Ernie Blankenship has left, but his position stays on the books. Right?

Danny Mongold: It stays on the books. It doesn't mean anything for reporting purposes.

Paul Hunter: You guys would have to authorize the filling of it.

Danny Mongold: It's just not funded or anything.

President Kirchner: Actually, I believe that that is incorrect. If the position exists on the books, the council does not have any say. It is purely the mayor who has the ability to hire into that position because it exists on the books. Is that correct?

Law Director Shidaker: The council authority would be what you appropriate for that position, but as far as filling that position, that would be under the discretion of the administration – the mayor.

President Kirchner: So can hiring be done if there are no appropriations available?

Law Director Shidaker: If you want to get sued. Because the employees are not going to get paid.

Mayor Riley: It's part of the checks and balances.

Law Director Shidaker: He can hire, but if there is no appropriation, they're not going to get a paycheck.

Mayor Riley: I want to thank Danny for his presentation tonight. I think this is going to be helpful in the future. But, Danny, other than just being the HR Director is also my point person for Risk Management, working with the Miami Valley Risk Management Association, employee benefits. He literally is about one of the few people in the city administration who is in contact with every employee. His job is to assist every employee and help them with their needs. I certainly appreciate what Danny is doing for us.

President Kirchner: We'll get back into committee reports at this point, now that you are all civil service experts. Thank you, Danny.

Water Committee – Chairperson Mike Wallace had no report.

Streets Committee – Chairperson Mark McKay: We have two items which we have discussed previously. Both are up for second and third readings and approval tonight. The first is an ordinance to vacate a portion of East Fulton Street, which is the right-of-way between 466 and 508 N. Walnut Street. The owners of those properties have petitioned to ask that this area be vacated, and the city has agreed that we're probably not ever going to extend that portion of the street through that property. Both representatives of the property owners are here tonight. I don't know if there are any comments that they wish to make.

A motion was made by McKay and seconded by Wallace to suspend the rules and give the second and third reading on the ordinance To Vacate a Portion of East Fulton Street Right-of-Way Between 466 and 508 North Walnut Street.

Roll call: McKay, yes; Jaehnig, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes.

Director of Law read the ordinance by title only.

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

Roll call: Jaehnig, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 5031 passed as read.

Councilman McKay: The second item is an ordinance amending the traffic control map and traffic control file. Basically, that is to eliminate the parking on the east side of Gallup Street. Once again, we have discussed this several times in council and in committees. Are there any comments?

A motion was made by McKay and seconded by Wallace to suspend the rules and give the second and third reading on the ordinance Amending the Traffic Control Map and the Traffic Control File.

Roll call: Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes;

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 5032 passed as read.

Solid Waste/Recycling Committee: In the absence of Chairperson Don Wells, Councilman Mead: There is one item on the agenda this evening. This is going to be the second and third readings on the resolution authorizing the Director of Public Service to enter into a contract with Brechbuhler Scale, Inc. for the purchase of an above-ground truck scale for the Sanitation Department. This is an item for which we had three readings in the Finance section with the supplemental appropriation to be used to purchase that scale.

A motion was made by Mead and seconded by Jaehnig to suspend the rules and give the second and third reading on the resolution Authorizing the Director of Public Service to Enter into a Contract with Brechbuhler Scales, Inc. for the Purchase of an Above-Ground Truck Scale for the Sanitation Department.

Roll call: Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Stuckert, yes.

Director of Law read the resolution by title only.

A motion was made by Mead and seconded by Stuckert to pass the resolution as read.

Roll call: Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Stuckert, yes; Wallace, yes.

Motion passed.

President of Council declared Res. No. 2288 passed as read.

Councilman Mead: That is all we have this evening.

Wastewater/Sewer Committee: Chairperson Loren Stuckert had no report.

Judiciary Committee: Chairperson Loren Stuckert: Mr. President, we have a number of items tonight. We will begin with the first one, which is a Planned development at the Cape May Retirement Center. We need to have a public hearing on that before we have our first reading.

President of Council opened the public hearing on the PD-1 Cape May Retirement Development.

Mike Hughes: JMM Architects, representing Cape May. It's basically a 15,000-foot addition and approximately a 4000-5000-foot renovation as part of the building. I understand there are some concerns on parking and the building layout on the site. I'm basically here to answer any questions.

President Kirchner: I think the questions arose because you were adding employees and there was parking in the area where you were constructing. I know during that analysis, there was identification of additional spots that could be opened up. Again, I think it was a matter of making sure the residents and everyone had adequate parking with the new employees that would be added. The other question that I think came up was the question of safety vehicles being able to move through the property, just in case they were ever needed. There was just concern for safety and citizens there.

Mike Hughes: Since the plans were previously approved last month at planning, we have added 28 parking spaces to the plan, so it's a net of 21 total spaces from what we have now. I believe it is probably going to be dedicated to staff parking where we have it situated on site. So, that is opening up all of the other parking spaces that bogs everybody down.

Councilman McKay: Did you say there were 28 additional from when you presented at Planning or did I misunderstand that?

Mike Hughes: We basically added – we added 21 additional. We took the nine and added it to the bank of 28.

Councilman McKay: From what you presented at Planning.

Mike Hughes: Yes.

Councilman Mead: Will this area include a unit for Alzheimer patients.

Sarah Boehle: There is a plan for that. At this point, it is planned to be a 30-bed skilled nursing facility. It won't be a dedicated unit, but certainly we will provide care for folks with Alzheimer and other dementia.

Councilman Jaehnig: Would either of you like to just take a moment and talk about the estimated job growth for the addition that it would allow you to accomplish.

Sarah Boehle: Sure. I'm the Executive Director at Cape May. What we're looking at with our addition is providing new nursing home space for about 30 residents to live there. We are looking at construction jobs of probably about 11 and 14 months or so, about 35-45 construction jobs. And then long-term, once the facility is opened, we would be providing about 30 FTE's which is 2080 hours per year. It would be about 36-38 jobs. Some would be full-time; so would be part-time.

Paul Hunter: Would it be a property tax paying facility?

Sarah Boehle: No. It's a healthcare facility, so it will not be.

Councilman Jaehnig: Most of those jobs are considered skill labor, right?

Sarah Boehle: It will be a variety of jobs.

Councilman McKay: Just a point of clarification. If Planning did not see those extra 21 spaces, does that have to be looked at again by Planning.

President Kirchner: Let's clarify. Are you indicating that as part of a plan you had presented to Planning Commission, you had added an employee parking lot with that number or are you indicating since having been to Planning Commission, you have.

Mike Hughes: Correct. Since we have been, we have added the 21 additional over what we presented.

Mayor Riley: The spaces that they presented at Regional Planning were sufficient. One of the questions was, "Is that enough?" So, we passed it based on the number that we saw. If they are going to add extra; that's just icing on the cake.

Councilman McKay: Okay.

[TRANSCRIPTION INTERRUPTED – END OF TAPE]

President Kirchner: ...with Planning Commission having approved a submitted plan at the time, are there any legal reasons why...

Law Director Shidaker: Not in that situation. I don't believe so.

Councilman McKay: I just want everything to go right. This is a great project. Cape May is a great residence of Wilmington. They are pretty quiet out there, but they do a lot for us.

Unknown speaker: Have you received your certification?

Sarah Boehle: No we have not. We are still waiting for approval from the State Department of Health, which we anticipate getting sometime in early July. Hopefully we would be breaking ground in September.

Mike Hughes: On your comment on the emergency vehicle access – we're still maintaining the perimeter loop around the entire building.

President Kirchner asked if anyone else from the public wished to speak during the public hearing.

Seeing none, President Kirchner closed the public hearing on Cape May PD-1.

Mayor Riley: I would like to go on record for thanking Sarah and her staff and all the administration out there for a wonderful job. We cannot forget Cooper Snyder and actually some of the residents of Cape May who have worked tirelessly to help bring this to where it's at today. Hopefully, we'll have a groundbreaking soon and then a ribbon cutting shortly after that. Thank you for all of your work.

A motion was made by Stuckert and seconded by Jaehnig to give the first reading only on the ordinance Modifying an Existing PD-1 Located in the City of Wilmington.

Motion passed

Director of Law read ordinance by title only.

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

Councilman Stuckert: I would like to move now for a second reading on an ordinance rescinding Codified Ordinance 1303.01 regarding the period of display for political signs. We read this at the last council meeting. This has to do with banners and for signs that were previously banned in the city of which we have had numerous signs over the years that we technically illegal. So, we're bringing our code up to a point where we will be able to enforce it and it does allow for these banners and sandwich board signs and has provisions for the historic district.

Councilman Jaehnig: Loren...you're off one.

Councilman Stuckert: Okay. I'm sorry. I'll just move for the 1303.01.

A motion was made by Stuckert and seconded by Siebenaller to give the second reading only on the ordinance Rescinding Codified Ordinance 1303.01 Regarding the Period of Display for Political Signs.

President asked for discussion.

Seeing none, President called for vote.

Motion passed

Director of Law read ordinance by title only.

Stuckert request that the third reading be on the Agenda for the next meeting.

Councilman Stuckert: Now I will move for the second reading on an ordinance amending Chapter 1167.07 to the Codified Ordinances of the City of Wilmington Portable and Temporary Signs, in title only. That's the one that I just gave the dissertation on.

A motion was made by Stuckert and seconded by Mead to give the second reading only on the ordinance Amending Chapter 1167.07 to the Codified Ordinances of the City of Wilmington Portable and Temporary Signs.

President asked for discussion.

Seeing none, President called for a vote.

Motion passed

Director of Law read ordinance by title only.

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

Councilman Stuckert: Mr. President, I will move at this point on a second reading on the ordinance amending 1167.01 and 1167.04 to the codified ordinances of the City of Wilmington wall and projecting signs. Again, this is part of our ongoing revisions on our sign codes started by Councilman Jaehnig. We're within about one more chapter possibly of completing that. This has to do with the wall and projecting signs.

A motion was made by Stuckert and seconded by Mead to give the first reading only on the ordinance Amending Chapters 1167.01 and 1167.04 to the Codified Ordinances of the City of Wilmington Wall and Projecting Signs.

President asked for discussion.

Seeing none, President called for a vote.

Motion passed

Director of Law read ordinance by title only.

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

Councilman Stuckert: Mr. President, I have a first reading on an amendment that is calling for the rescinding of a codified ordinances, one of which is title 509.09. It's regarding suspicious persons. Also ordinance 373.12 regarding impounding. It might be skateboards or whatever; it has to do with impounding. This was brought to us out of a concern that we have an ordinance here that really isn't enforceable and should not be on our books.

A motion was made by Stuckert and seconded by Mead to give the first reading only on the ordinance Rescinding Codified Ordinance 509.09 Regarding Suspicious Persons and Codified Ordinance 373.12 Regarding Impounding.

President asked for discussion.

Councilman Jaehnig: I'm sorry, Mr. President, I was unable to make that meeting. I'm not quite sure the reasoning behind the change.

Law Director Shidaker: Chief, do you want to...?

Chief Duane Weyand: Yes, the first one is suspicious persons. There is a better way to go about the ordinance itself. Basically, it was created almost 45-50 years ago for citing people for begging and loitering and stuff like that. A lot of the stuff just doesn't apply anymore. Plus, there is a better way to do it, which is having them register to solicit by a different means. Also, we have a different ordinance on the book that applies better to our soliciting ordinances. So, that's the reason we're asking to take that off. The other one is the impounding of bikes and skateboards and stuff like that. Again, there are other means to take care of that through the forfeiture process through criminal conviction and stuff like that rather than have an ordinance on the books that says that the police have the ability to confiscate certain items. It's better handles through the court. Plus, it has to do with MVRMA. There are a lot of lawsuits out there for taking people's property without judicial hearings and stuff like that. It's easier to allow the court to handle that process rather than us trying to deal with it on our side. So, it's more of a housekeeping effort. We're just trying to streamline stuff and make it more efficient for us. Thank you.

President Kirchner asked if there was any more discussion.

Seeing none, President called for a vote.

Motion passed

Director of Law read ordinance by title only.

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

Councilman Stuckert: We have a rather important item as our last item, Mr. President. It has to do with three readings on council's intent to negotiate in good faith the terms of a Tax Increment Financing, known as a TIF agreement.

A motion was made by Stuckert and seconded by Mead to give the first reading only on the resolution Of Intent to Negotiate in Good Faith the Terms of a Tax Increment Financing (TIF) Agreement, and Declaring an Emergency.
President asked for discussion.

Councilman Jaehnig: I think maybe someone should explain why we are doing a letter of intent and where we are in the process.

President Kirchner: Well, I'll take a little stab at it. The tax increment financing is a request that is put forward by ATSG and the Port Authority in regards to the JUMP hangar. Based on the timing needs of meeting the state's requirements for making sure their funds were going to be used, they put forward a deadline that did match with the legal process necessary to accomplish the TIF. The state came to us, Jobs Ohio, and said that if the City, the County, the Port Authority, ATSG, and the school systems intend to do this project, they need to make a statement that they are in good faith going to work to get it done and support the idea of the TIF as part of the JUMP hangar solution. The resolution is the only legal means we had to indicate, based on the fact that we needed the time to legally execute that process, that the City did have intent to work with the school systems to see if an agreement can be made. The exciting side of the TIF agreement is that we are talking about a large construction project that at this point is slated to, when full, potentially bring 259 new full-time jobs to AMES as a portion of ATSG. That State had put together a generous funding package to try and enable us to do job creation, and that is the exciting side of it. The difficult side of it is, of course, the city and the schools have encountered very incredible financial difficulties, and the TIF agreement would actually be allowing the taxes that would be paid to the school on the new construction to be used to repay some of those state grants or loans in order to finance the construction. So, this process legally requires, because of the length of it in time and the size of it, 100% as requested by the Port and ATSG to actually have the schools and the city negotiate over the income tax that will be generated for the city. So, a portion of that income tax is what is at stake here, and that is the part that is a little unfortunate from the side of the city. Of course, we are going to partner in good faith with the schools to try and see if we can reach an agreement. I'm a little surprised that we didn't have a representative from ATSG. I know David Hockaday is in the back. David, would you like to speak on behalf of the Port on this matter?

David Hockaday: No. I think the issue is pretty set. The last time when there was a presentation it was said that the TIF is between the school and the city . The Port and ATSG have concluded our negotiations, so it's now time for the city and the schools to come together to move this TIF forward.

President Kirchner: Very good.

Paul Hunter: Also, the Port has to carve out a parcel that this is going to take place in. Before you can pass an ordinance, you have to receive that parcel, as I understand the law, from the Port, than you cede it back in some ridiculous...

Councilman Jaehnig: And that is one of the delays, because the surveying needs to be completed on the property.

Paul Hunter: It has to be less than 300 acres and must be in the possession of the city prior to the ordinance you want to pass.

President Kirchner: Some of those mechanics are the very things that as we were working through the legalities of it we realized would not meet the timing necessary. The resolution was a stop-gap measure to keep the opportunity...

Paul Hunter: This will give them time to cut that parcel out. Because if you're going to say, "No, we don't want it," it would be silly for them to cut out that parcel. This resolution they see that your intent is good, so they can proceed on their end.

Mayor Riley: You're absolutely right. We can't accept and then turn back a parcel that doesn't yet exist. You're right.

President Kirchner: Does that answer all the questions?

David Hockaday: Mr. President. Can I clarify a statement that was just made? For the bonds to be issued by the State, there has to be a survey and the survey of that property is a very extensive survey that goes to clarify where the parcel is for the issuance of the bond statement. That has to be done very early. It has to be surveyed. Item B here you show the transfer of property ordinance. That is where the city takes the property for the very momentary action and then it gets re-filed back to the Port Authority because we will be the actual owner of the property throughout the indebtedness. So, that's a little different than what Mr. Hunter presented.

Paul Hunter: That's exactly what I said.

Mayor Riley: I think that's pretty darn close.

President Kirchner: I think the bonding was an update. As for the process, you are correct. The city has to take possession in order for the TIF to exist.

Paul Hunter: David is my quality control man.

President Kirchner: And a fine job he does of it.

President asked again if there was further discussion.

Seeing none, President called for a vote.

Motion passed.

Director of Law read resolution by title only.

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

Roll call: Siebenaller, yes; McKay, yes; Jaehnig, yes; Stuckert, yes; Wallace, yes; Mead, yes.

Director of Law read the resolution by title only.

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

Roll call: McKay, yes; Jaehnig, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes.

Motion passed.

President of Council declared Res. No. 2289 passed as read.

Councilman Stuckert: Mr. President, that is all.

Safety Committee- In the absence of Chairperson Don Wells, Councilman McKay: We do have one resolution for safety tonight and that has to do with expressing our intent to sell city surplus items. This is a housekeeping measure that we do every year. We're getting it done.

Councilman Jaehnig: This is renewal of GovDeals, right?

Councilman McKay: Right...the intent to sell surplus items. It's a blanket thing that we do every year. Correct me if I'm wrong, Brenda.

Clerk Brenda Woods: Correct.

Councilman McKay: And we have just not done it yet.

A motion was made by McKay and seconded by Mead to give the first reading only on a resolution Expressing Intent to Sell City Surplus Items to the Public through an On-Line Auction Service, and Declaring an Emergency.

President asked for discussion.

Seeing none, President called for vote.

Motion passed.

Director of Law read resolution by title only.

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

Roll call: Jaehnig, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes.

Director of Law read the resolution by title only.

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

Roll call: Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes.

Motion passed.

President of Council declared Res. No. 2290 passed as read.

Councilman McKay: That is all we have under Safety, Mr. President.

Downtown Revitalization Committee - Convener Mark McKay: I would just like to mention that the GOBA event is coming tomorrow. I guess things are going to start to kick-off at around noon tomorrow. I don't know all of the ins and outs of this stuff, but there is going to be a bunch of bicycle people here. They are going to be staying at the fairgrounds. They are going to be all over the place. We're going to have the parking lot over at the St. Columbkille area portioned off for a party Friday night. So, join us all in the downtown.

President Kirchner: Thank you. We do encourage everyone to come out and welcome our guests.

Councilman McKay: That stands for Great Ohio Bicycle Adventure, I believe.

[Discussion of the Bicyclists' Route and Schedule]

Parks and Recreation Committee - Convener Rob Jaehnig: We have one piece of legislation and a couple of quick updates. The Parks Board has requested authorization to sell two vehicles from their fleet that are not needed. They feel that the money could be better used for actually running the parks. They have asked that we approve those sales. It really wasn't determined what funds were used to purchase these vehicles – whether it was park levy funds or city funds at the time of purchase – so just to make sure we're clean it is coming back through council. We will ask for three readings. One is a Ford Escape and a F250 Super Duty Pickup that will be sold. Are there any additional questions?

A motion was made by Jaehnig and seconded by McKay to give the first reading only on a resolution Declaring Surplus Property, To Wit: Vehicles Valued at More Than \$1000, and Authorizing the Sale of Said Vehicles, and Declaring an Emergency.

President called for vote.

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: Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, 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: Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Stuckert, yes.

Motion passed.

President of Council declared Res. No. 2291 passed as read.

Councilman Jaehnig: Just a couple of additional quick updates. The parks have been working very hard at partnerships and working with volunteers and really have some real success with that. One of the partnerships that they were able to work on had to do with the Clinton County Trails Commission. The Trails Commission actually spent \$7800 to do a major trail repair on the Luther Warren Trail, which had some serious breakdown that occurred over the last couple of years. They would like to publically thank the Clinton County Trails Commission for their donation and getting that repaired so timely.

Also, in the paper today, if you didn't notice, written by the exceptional reporter Mr. Hufferberger, was an article about the joint conversation that the Parks Board is going to be having with the residents and the neighbors around Galvin Park to talk about next steps and what they may be able to do there at the park. I highly encourage anybody who is interested or lives in the area to participate. Then, this weekend it's bikes. Next weekend we're back out to baseball and softball again. We have coming into the parks 68 teams next weekend for a tournament. We are expecting about 1500 spectators – 700 players, so about 2200 people. The hotels are already fully booked, so it will be a very busy weekend out at the park. That's all I have, Mr. President.

Income and Levy Tax Committee: Chairman Rob Jaehnieg had no report.

Service Director: In the absence of Service Director Larry Reinsmith, there was no report.

Safety Director – Safety Director Russ Burton had no report.

Reports:

A motion was made by Mead and seconded by McKay to approve the Auditor-Treasurer's Report May 2012, as received.

Motion passed.

Reports accepted as received.

President Kirchner: 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: I'll make this short and sweet. There's an old saying that you can't fight City Hall, and win, anyway. It's just an old saying. I prefer the term, "help" city hall, not fight it. Helping the City to help itself is not a job for the timid or the apathetic citizen. It requires skin thick enough to repel institutional resistance and personal insults as well as endurance to see actions through to completion. This council has allowed me to be a part of the process and I thank you all for your tolerance and acceptance.

President Kirchner: Thank you, Paul.

Councilman Stuckert: Mr. President, I'd like to weigh in on that and respond. I think Paul is an amazing person. I'm new to the council – I've only been here since last year at about this time, but I truly appreciate his efforts in keeping council informed and helping us help ourselves and helping us not make mistakes. He's a pretty big man. When you don't agree with him, he doesn't come back at you over that. He just appreciates the opportunity to put things on the table. I for one really am amazed at his participation. I'm a Government teacher. I tell kids all the time that George Washington said that the thing that will make this country successful are virtuous citizens. The first order of business for a virtuous citizen is to have the courage to recognize when things are not right, to stand up and say so and let their voices be heard. He certainly meets that qualification. I as one on this council do applaud him for all that he contributes to us each and every time.

Paul Hunter: Thank you. I appreciate that.

President Kirchner: I would second those comments by Councilman Stuckert. I have known Paul since 1999 when I attended my first council meeting. I have found Paul's interest and involvement in issues and items to always be in the effort to educate on and understand. Mr. Hunter is an extremely knowledgeable man in many areas of our government. I think he is always willing to help and offer opinions. I agree that even when you differ with him on an opinion, he is always willing to step to the next issue and engage right back in the conversation. I'm glad, because I think that those challenges need made. I think they need made from more citizens that care that much about the city. I will also say that I have always understood his very true calling to do this is because of his love of this city and the citizens in it. He gets nothing but my respect for every effort, whether we agree on the issues or not. Thank you for all you do, Paul.

Mayor Riley: I can't let the occasion go by without telling my favorite Paul Hunter story. I was County Commissioner at the time and he came to a meeting and was coming in with ideas and thoughts. When it was over, I said, "Paul, you're my favorite curmudgeon." And he said, "Thank ... Well, wait a minute ...". The next time I saw him, which was maybe a few weeks later, he actually had the definition of curmudgeon that he had printed out. He said, "Some of these aren't good." I said, "Think 'Andy Rooney'." He said, "Oh, I like that!" So, you're still my favorite curmudgeon.

[Laughter]

Councilman McKay: You're not resigning, are you?

Paul Hunter: No.

[Laughter and Banter]

President Kirchner 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 Kirchner asked for a motion to adjourn.

A motion was made by McKay and seconded by Wallace to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk