

Wilmington City Council met on Thursday, April 4, 2013, with President Scott Kirchner presiding.

Call to Order

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

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

Chief Weyand was also present.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

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

President of Council - President Kirchner:

A motion was made by Wells and seconded by Stuckert to approve the minutes of the last regular meeting, March 21, as presented.
Motion passed.
Minutes approved as presented.

A motion was made by Wells and seconded by Stuckert to approve the minutes of the last special meeting, March 26, as presented.
Motion passed.
Minutes approved as presented.

Whitaker Wright – CDBG (Community Development Block Grant) presentation.
Normally this time of the year, I hold the first public hearing for the city's Community Development Block Grant program. Unfortunately this year, the state has changed the program. Beginning in 2013, the state has placed the City of Wilmington under Clinton County. This is due in large part to the federal government cuts that have been going on for the last several years. Essentially what the state has said is that no community will receive less than \$75,000 and historically, Wilmington was considered a direct city, which means it received its own allocation. The state changed its formula for direct cities this year; direct cities are now defined as a city with a population of at least 15,000. In 2010, the City of Wilmington had a population of 12,250. What this means is while Wilmington no longer qualifies as a direct grantee, Clinton County will be required for the next three years (Fiscal 2013, 2014, and 2015) to fund at least one project submitted to the Commissioners by the city. The project proposals will be due to the county by April 26. After checking with the county, the project budget that they have this year is \$83,000. In terms of the significance of the cuts involved: the county received an \$11,000 increase to cover the inclusion of Wilmington. In the current fiscal year, 2012, Wilmington received \$47,000. Taken together, essentially for this upcoming year, the county and the city together have taken a \$36,000 cut in Community Development Block Grant funds. Currently the available budget through the county is \$51,000. They have already committed \$32,000 to the Village of Port William. This has been going on now for about ten years. In fiscal year '03, the city received an allocation of \$62,000. This past year, in 2012, they received \$47,000, so this has been a culmination of decreases in funding over about a decade. The state is struggling to try to find a way to maintain its philosophy of providing funds directly to the communities across the state rather than having a handful of large competitive grant programs. He opened the floor for questions.

President Kirchner – Understanding that the state is in their own budget difficulties, do you foresee this being a permanent change to the system or potentially a temporary one as we move through this process.

Whitaker Wright – I suspect this will be permanent. These are federal funds and unless Congress was to increase the development block grant budget, I anticipate that this will continue.

President Kirchner – Have the guidelines changed any to the projects that are acceptable?

Whitaker Wright. – No the project guidelines have remained the same. Wilmington is eligible for up to one project for this year and the following two years. The county will accept that project once the council and mayor have selected it, but they said they would like to have a letter from the mayor indicating this is the city's project.

President Kirchner – I take it from this change that we will no longer have to have the public hearings associated with it in order to do that project – those will be done with the County Commissioners.

Whitaker Wright: That is correct. Next year, assuming that the CHIP program has not changed, the city will be carrying out two public hearings, because that is a separate grant.

President Kirchner – Do you see it potentially being at risk as well?

Whitaker Wright – The state right now doesn't know what they want to do with the CHIP program. They don't want to drop it; however, this year they reduced the allocation to \$400,000. In '02, it was \$600,000. They dropped it to half million in '03. Now it's down to \$400,000. I think they are struggling to find a way to fund as many communities as possible.

Councilman Mead – Will this have any effect on the grants we have already approved?

Whitaker Wright – No.

Councilman McKay – Just wanted to say thank you for the experience we have had with you. You've always done things in a manner that we appreciate, and we have been thoroughly apprised of what has been going on. Some government entities have not been as lucky. Councilman McKay asked if Whitaker oversaw the county as well, and Whitaker answered that his coworker, Amy, does.

President Kirchner echoed Councilman McKay's sentiments. You have done a very good job with helping the city maximize the effectiveness of those grant funds and wade through the myriad of paperwork associated with it and stay within the guidelines. I want to thank you on behalf of the citizens for all of the effort you've given over the years.

President Kirchner – I would like to take a moment to note the passing of Eli Yovich who served this city in a number of ways, including as a Councilman of this city. Eli was a dear friend, a mentor in many ways, and even served as the Treasurer of my campaign. But more than that, he is a man whose heart lived and breathed Wilmington and service to it – through many organizations, not just this council, whether it be his church or community groups. Wilmington is a better place for the efforts that Eli gave. He asked for a moment of silence to respect the service that Eli gave to this council and this community.

[Moment of silence in honor of Eli Yovich observed]

Mayor - Mayor Riley – Eli served for 19 years on the Community Action Board as the mayor's appointee. I spoke to Eli just a week ago and told him that I was going to have a horrible time trying to find someone to take his place. In our conversation, he asked me if I would, so I was quite honored that Eli recommended that I take his place on Community Action and appoint myself to that board. I tell you what, those are going to be hard shoes to fill. Eli was certainly an inspiration to all of us.

Councilman McKay noted that he is sitting in Eli's chair. He explained that Eli stepped down voluntarily, but they always had a running joke that McKay took his seat. He was a very good man and he will be missed.

Mayor Riley said that Eli told him that he felt so blessed that he retired 19 years ago. He had 19 wonderful years serving the community, serving the church, playing a lot of golf, and that he really enjoyed himself for 19 years. He considered himself to be blessed. We were blessed just to have Eli with us.

Mayor Riley – It has been a busy couple of weeks. The visitors from Ukraine came to Wilmington and they had a good day. They couldn't believe everything that we had fitted in between 9 and 5. The Air Park was a big hit. They were extremely impressed with the General Denver Hotel and Molly's Americanizing of some Ukrainian food and said they actually liked it better than their Ukrainian counterpart. She also talked to them about the purchase and rehab of the hotel from a historical point of view. The trip coordinator noted that the rest of the week in Cincinnati went very well, but the highlight of the trip for the Ukrainians was Wilmington. It was fun and a good opportunity to show off.

Mayor Riley announced that he spoke to Jim Reynolds at Wilmington College and they are receiving a USDA grant for \$19.7 million to be used to completely expand and refit Kettering Hall. It will be the STEM (Science, Technology, Engineering, Math) building; and they are calling it their community facility.

Mayor Riley recounted that he had a recent telephone conversation with a reporter from the Tribune Review in Latrobe, Pennsylvania. The ongoing battle over the banana split continues. Latrobe has gotten permission from the Pennsylvania Historical Museum Commission to put a historical marker at the location of the drug store where David E. Strickler invented the banana split. He read parts of the newspaper article and said it was a fun interview. He said Alex Graziani, who is the City Manager for Latrobe, is planning on being here for our Banana Split Festival. After speaking to the directors of the festival, Mr. Graziani will be invited to be a celebrity judge. He said Latrobe is considering inviting the mayor to the dedication of their marker. He said we're having fun with Latrobe and he is almost feeling like their our sister city.

Mayor Riley presented a proclamation to Relay for Life to Paint the Town Purple.

Matt Black, representative for Relay for Life, introduced his committee and stated that the Relay for Life event will be held on May 3 and 4 at the Wilmington Park.

The proclamation read as follows:

***WHEREAS**, cancer is the second leading cause of death in the United States; and accounts for one-in-four deaths in this country, this state and this city; and*

***WHEREAS**, the American Cancer Society is a nationwide, community-based health organization dedicated to eliminating cancer as a major health problem; and*

***WHEREAS**, thanks in large part to the efforts of the ACS and the research they sponsor, countless men, women and children are alive today; and*

***WHEREAS**, each year, the American Cancer Society sponsors the Relay for Life event right here in Wilmington, OH and in cities throughout the world; bringing attention to the disease, celebrating survivorship and raising money to combat this terrible disease.*

***NOW, THEREFORE**, I, Randy Riley, Mayor of the City of Wilmington, Ohio, do hereby proclaim the week of April 14, 2013, as **Paint the Town Purple Week** in Wilmington, Ohio, and encourage all citizens to*

participate in the American Cancer Society's Relay for Life event on the first weekend of May 2013 and to support the mission of the American Cancer Society – to find a cure for cancer.

Matt Black said at 9:00 they would be celebrating the survivors and honoring those who had lost the fight, including a fireworks show from Rozzi.

Mayor Riley presented a proclamation for dispatch week. Chief Duane Weyand introduced members of the City of Wilmington Dispatch Center.

The proclamation read as follows:

***WHEREAS**, professional emergency dispatchers perform a critical function when an emergency occurs requiring police, fire, ambulance or highway safety personnel; and*

***WHEREAS**, dedicated emergency dispatchers are always on duty, serve the citizens of Wilmington and Clinton County by answering their calls for police, fire and emergency medical services by dispatching the appropriate assistance as quickly as possible; and*

***WHEREAS**, professional dispatcher personnel are not visible like the men and women who arrive on the scene of emergencies, yet they provide the critical link to public safety services as part of the first responder team.*

***NOW THEREFORE, I, RANDY RILEY**, by the power vested in me as Mayor the City of Wilmington, Ohio, do hereby applaud the important work done by our emergency telecommunication dispatchers in Wilmington and Clinton County and do hereby proclaim the week of April 14 – 20, 2013, as **PUBLIC SAFETY TELECOMMUNICATIONS WEEK** In Wilmington, Ohio, and our neighboring communities.*

Chief Weyand said that dispatch handled 48,000 regular phone calls and 5100 9-1-1 calls. They handled 4100 Fire and EMS runs and about 14,000 police calls. They are the face of the city building. They are all trained in first aid/CPR. They have delivered babies over the phone and have done CPR over the phone. He said he appreciated all of the work that they do and related stories of their accomplishments.

Mayor Riley said at the next meeting, April 18, they will be swearing in a new police officer. They have had had a resignation, so they will be replacing him.

Chief Duane Weyand explained that he had taken vacation on March 16 and went to Florida. He said he wanted to recognize Josh Riley for managing the department while he was gone and handling the events surrounding the drowning case. He asked Josh to come forward and thanked him for all of the work he did for the department while he was on vacation.

Chief Duane Weyand asked Tim Carr to come forward. He thanked him for the work he did during the recent drowning case. Mayor Riley explained that he and Tim were on a dive team together and have been friends for a long time. He explained with his background in law enforcement, park services and water rescue he was the perfect fit to help with the case.

Mayor Riley presented a Mayor's Award for meritorious service to Tim Carr for sincere appreciation for the extraordinary care and leadership exhibited during the week of March 17, 2013. Attached to the award was a key to the city.

Tim Carr said it was a difficult week for everybody. When you look at the services the city provided through the Police and Fire Department, the Service Department, we have

a great city, and he was glad to be a part of it. The people on the site were professionals and they never left. He shared a story from a gentleman from the Boone County team that helped out in the recovery. The man told him he had never been some place where he was treated the way he was treated in Wilmington. Tim Carr thanked Council, Mayor Riley, Chief Duane Weyand, Chief Detective Riley, Chief Andy Mason, Denny Gherman and their crews. He said the city should be very proud of the services that were provided that week. He was impressed with the way the people came into the community across the whole time there were on site – the way the people stopped and helped – this is what this community is about. People stepped up and took care of things. He accepted the award on behalf of his buddies from ODNR that were there and for everyone that showed up; they are the ones who did the work. Thankfully, Casey was brought home to her family.

[APPLAUSE]

Mayor Riley said that he does not know if he has ever been more proud of the city. Hardships have brought out the best in this community.

Mayor Riley announced that Saturday, April 20, the Alternatives to Violence Center is sponsoring Tea for Tween, Teens, and Queens at the United Methodist Church. It is a brunch and pampering event with a lot of good information given to the attendees.

Mayor Riley stated the News Journal reported a potential of 278 new jobs in the area through Dealer Trac, Custom Molded Products, and Praxair. He was out visiting Ahresty yesterday and they are expanding and putting in new lines and are hiring now. Polaris is progressing and planning growth already. He asked Mark McKay, member of the JETT team, to report on progress.

Councilman McKay said the new jobs total is 146. He said he is sure we will be taking bigger jumps once we get the expected folks on the ground. The job count now includes six from Hood Packaging and one person from the Southern Ohio Plastic Surgery Group.

Paul Hunter asked how we were dealing with net jobs. Mayor Riley said they would calculate that at the end of the year, but the purpose of the JETT team was to focus on positive growth.

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 Mead had no report.

Water Committee - Chairperson Wallace said they did not have a meeting this past Tuesday, but it had been scheduled for the upcoming Tuesday at 5:30.

Streets Committee - Chairperson McKay presented legislation on an ordinance to vacate a portion of Davids Drive. He said it had to do with the John Stanforth property and the little island of land that was left during the Davids Drive construction. He asked for questions.

A motion was made by McKay and seconded by Wallace to suspend the rules and give the second and third reading on An Ordinance to Vacate a Portion of Davids Drive Right-of-Way.

Roll call: Wells, 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 McKay and seconded by Wallace to pass the ordinance as read.

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

Motion passed.

President of Council declared Ord. No. 5084 passed as read.

Solid Waste/Recycling - Chairperson Wells had no report.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Judiciary Committee - Chairperson Siebenaller announced that they were planning to have a meeting in the upcoming week, possibly piggybacking with the Tuesday meetings. The purpose would be to look at bonding for councilmembers.

Safety Committee - Chairperson Wells had no report.

Downtown Revitalization Committee - Chairperson McKay spotlighted Steve Hollands's Art Designs and Signs. He said that Steve's business was featured in the Over the Back Fence Winter 2002-2003 issue. He read the article and gave the history of the business. He said it includes an art studio, framing shop and custom sign shop, and incorporates every piece of sign-making into the business, including sandblasting large pieces of outdoor work to making banners. His signature always includes a bluebird. He hides one in each of his paintings.

Mayor Riley pointed out that each of the pieces of artwork at the Veteran's Memorial has been done by Steve Holland.

Councilman McKay also announced Wayne Smith, a local barber who recently celebrated 50 years as a downtown barber, retired over the weekend.

Parks and Recreation Committee – In the absence of Chairperson Jaehnig, Councilman Siebenaller stated they had no report.

Income and Levy Tax Committee – In the absence of Chairperson Jaehnig, Councilman McKay stated they had no report.

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

Safety Director – Safety Director Russ Burton had no official report. He apologized to the mayor, council members, and the chiefs of police and fire for his absence for the last couple of months. He explained that he has had health issues that he has been attending to. He thanked Matt Black for the work that is being done for Relay for Life to support cancer research. He said in a couple of years he hoped to be walking around with Randy on one of the survivor laps.

Reports

A motion was made by Wells and seconded by Stuckert that the Income Tax Report – March 2013 be accepted as presented.

Motion passed.

Reports accepted as presented.

President Kirchner announced the Law Director had informed him there was an item of pending litigation that needed to be discussed by council in executive session. The vote to go into executive session will be held immediately after the public comments session of the meeting.

President Kirchner opened the meeting up to the general public and/or members of council to address council while in session.

Lee Hendee, 114 S. Walnut Street. Announced that Wilmington was going to soon receive a new radio station. He said they would stream the station on the internet 24/7, 365 days of year. It will be the Voice of Wilmington. It will be a noncommercial station and will located at 89.1 FM, with an effective radiated power of 550 watts. The studio and transmitter will be located at the former upstairs offices of Master Feed Mill. The antenna will be on top of a grain elevator leg. Public and local businesses will help to finance the station. It will be non-profit and non-commercial. Some area businesses have stepped forward and begun to help. They will provide the most up-to-date news,

weather, information that is available to them. They will have regularly scheduled news casts, a variety of music, and even talk shows. It will be owned by a company out of Greenville, Indiana, by a man named Martin Hensley who has 50 other noncommercial radio stations. Lee Hendee has been designated as the station manager and hopefully construction will start before the May primary. A copy of business plan is available if anyone wants to see it, and they hope to find a niche in the community.

President Kirchner asked if anyone else wished to address council while in session.

Seeing no one else who wished to speak, President Kirchner asked for a motion to go into executive session.

A motion was made by McKay and seconded by Wallace to enter into executive session for the purpose of discussing pending legislation under Section 121.22 (g)(3) of the Ohio Revised Code.

Motion passed unanimously.

Council went into executive session at 8:33 p.m.

[EXECUTIVE SESSION]

A motion was made by Wallace and seconded by Mead to return to regular session.

Motion passed unanimously.

Council returned to regular session at 8:50 p.m.

Finance Committee – Chairman Bob Mead introduced legislation for supplemental appropriations. Director of Law Consultant services the sum of \$24,000 and to Property Casualty Reserve, the sum of \$65,000.

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

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

Motion passed.

President of Council declared Ord. No. 5085 passed as read.

Councilman Mead said that if anyone has any questions regarding the supplemental appropriation, they may direct those to the Law Director.

President Kirchner asked if there was any other council business.

Judiciary –

A motion was made by Chairman Brian Siebenaller and seconded by Wells to authorize the Law Director to enter into a settlement agreement and release on pending litigation.

Motion approved unanimously.

Law Director authorized to enter into settlement agreement and release.

President Kirchner asked if there was any other business from council.

Seeing none, President Kirchner asked for a motion to adjourn.

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

Motion passed.
Council adjourned.

ATTEST:

President of Council

Clerk