

Wilmington City Council met on Thursday, January 3, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

President Ertel: I would like to welcome our new councilpersons to your first meeting.

Councilwoman Popp: Thank you, Mr. President.

Councilman Jaehnig: Thank you.

President Ertel: Thank you. Glad to have you here.

A motion was made by McKay and seconded by Wells to approve the minutes of the last regular meeting, December 20, as received.

Motion passed.

Minutes approved as received.

A motion was made by Peterson and seconded by Mongold to approve the minutes of the special meeting, December 27, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: You have here an announcement on rezoning. That is being withdrawn at this point, so if you would, there will be no public hearing on that. The request is being withdrawn.

Also before me I have a Notice to Legislative Authority from the Ohio Division of Liquor Control from Werner's Pork House, LLC; 94½ N. South Street, 2nd Floor; Wilmington, Ohio; Scott Simon; to Sam's Meat, LLC; 1209 W. Locust Street; Wilmington, Ohio. This will be on file in the Office of Clerk of Court for comment. I believe that concludes my portion of the agenda. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. I have no report.

President Ertel: Okay. Committee reports. Asset, Acquisition and Use.

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

Auditor – President Ertel: Okay. Seeing no Auditor, there is probably no report. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have one item tonight, and that is the ordinance Amending Ordinance No. 4660 to Increase Wages Under the Employee Pay Plan for the Calendar Years 2008 and 2009 and Declaring an Emergency. Do you understand everything now of what that is. Do the new council members have any questions?

Councilwoman Popp: I have no questions.

Councilman Jaehnig: No, no questions.

Councilwoman Mongold: No questions.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Amending Ordinance No.4660 to Increase Wages Under the Employee Pay Plan for Calendar Years 2008 and 2009 and Declaring and Emergency.

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4740 passed as read.

President Ertel: Anything else, Sandy?

Councilwoman Mongold: I would like to remind the new council members and any other council members interested that January 14 at 4 p.m. we are going to have a finance info session so that we can go over Accounting & Finance 101, Municipal Finance. Pauline, will you make sure that that gets posted because we will have new council members [inaudible for transcription].

Pauline Buckley: That was January 14?

Councilwoman Mongold: January 14 at 4 p.m. in the Mayor's Conference Room.

Pauline Buckley: Certainly.

Councilwoman Mongold: Thank you.

Councilwoman Peterson: I just want to ask a question about that. Is that something to be attended by someone new or is it something that those of us who have been on council for while should attend?

Councilwoman Mongold: You are more than welcome to attend it. It would be a nice refresher for you.

Councilwoman Peterson: Okay. I want to.

Councilwoman Mongold: Okay. Thank you.

President Ertel: Thank you. Water Committee?

Water Committee – Chairperson Mike Wallace: I have no report, Mr. President.

Street Committee – Chairperson Peterson: We have one agenda item that I am going to ask that we postpone it. I just want to announce that we have a Streets Committee meeting scheduled Tuesday, January 8 at 6 p.m. We have one agenda item, and that is to discuss downtown parking. We are asking the property owners, business owners, and residents to discuss any issues or solutions that they may have with current parking. We also have a follow up meeting scheduled.

Pauline Buckley: Is it the 8th or the 9th?

Councilwoman Peterson: Oh, 9th, excuse me. I can't read a calendar today. Yes, it is the 9th, thank you. On the 30th of January we have a follow up meeting at 6 p.m. and that is basically to present solutions at that time. Are there any questions?

[Banter/Discussion regarding date of meeting]

President Ertel: It is the 9th.

Mayor Raizk: It is Wednesday the 9th. That is my understanding.

Councilwoman Peterson: It had it on my calendar wrong. That was a good catch.

President Ertel: Very good. Is there anything else?

Councilwoman Peterson: No, that is all. Thank you.

President Ertel: Okay. Thank you. Solid Waste/Recycling?

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

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

Judiciary Committee: Chairman Mark McKay: No report, Mr. President.

Safety Committee: Chairperson Don Wells: I have no report tonight, Mr. President, but since the Safety Director is here tonight, I would like to thank the Police Department and the Life Squad personnel. When Barb had her accident right uptown, they did a tremendous job, and I just want to say thank you to everybody that helped Barb.

Service Director Larry Reinsmith: All I can say, Don, is I am glad they got there before the Sanitation Department.

[Laughter]

President Ertel: Yes. We all know what happened.

Mayor Raizk: Let's just move along.

President Ertel: Very good.

Downtown Revitalization Committee - Convener Sandy Mongold – No report.

Parks and Recreation Committee - Convener Mike Wallace – We have one item on the agenda this evening. I think, as all council is aware, we are working with the city schools in trying to help obtain some tennis courts here in the city through the City Parks. We need to give our Mayor authority to sign this particular budget agreement so we can move forward one step at a time in this process. We have a couple of things coming up here in the next month or so. Just to let everybody know, we plan on having these courts built by August 1. That is our goal at this point in time. We think all of the monies are there and we can keep that like it is. This will be no monies out of the city's pocket. This is all taken care of through funds raised through grants or funds for capital improvement through the city school system [inaudible for transcription]. To receive this state grant, we need to do it through the city council. So, if you don't have any other questions, I would move for the first reading.

President Ertel: I have just one question before that. As far as the upkeep, insurance and so forth, who cares for that?

Councilman Wallace: That is going to be on the city schools. The city schools have agreed to take care of it and to keep it up.

Mayor Raizk: The insurance actually will come under us because there will be the municipal sovereignty of our partners. These will actually belong to the city. It will be a lease agreement.

Councilman Wallace: But the upkeep will be the schools.

Mayor Raizk: The school is going to provide the upkeep, but the insurance... Because we have a Park and Recreation exemption and because it is under the Parks, there is what they call a recreational exemption if somebody gets hurt or something like that. It is similar if it happened out in the park. These will be adjacent to the school, but actually they will be deeding a piece of land over to the city that they will be actually built on. They will be part of the Parks and Recreation Department, and they will be for use by all residents of the city. There will be times when the schools will be using them for their

varsity teams and so forth, but then there are also plenty of other times that anybody in the city can use them, just like our parks.

President Ertel: Very good.

Councilman Wallace: If you sit in the parking lot right in front of the high school and you look to the west, you look in a field there between the high school and the church, and that is where the tennis courts are going to be located.

President Ertel: Excellent. That will be nice. Very nice. Okay. Thank you.

Councilman Wallace: We are very excited about [inaudible for transcription.]. There will be somewhere between 10 and 12 courts. It will be a very nice facility.

A motion was made by Wallace and seconded by Peterson to give the first reading only on the resolution Authorizing the Mayor to Sign a Capital Improvement Budget “Pass Through Agreement” with the State of Ohio, Department of Natural Resources, for \$185,000 for the Construction of Tennis Courts for the City of Wilmington Parks and Recreation Department and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

A motion was made by Wallace and seconded by Peterson to pass the resolution as read.

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

Motion passed.

President of Council declared Res. No. 2058 passed as discussed and read.

Councilman Wallace: There will be a City Parks and Recreation meeting on, I think, February 4 where we will be discussing more of this as well. This is something for everybody to think about putting on their calendar. I think it is at 6:00. That’s all I have.

President Ertel: Okay, Service Director.

Service Director- Service Director Larry Reinsmith: No report.

Safety Director – Nick Babb: No report.

Reports: President Ertel: I don’t see any reports before me here. There are none.

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. Please come and state your name and address at the podium.

Seeing no one else who wished to speak, President Ertel asked for a motion to adjourn.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, January 17, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by McKay and seconded by Peterson to approve the minutes of the last regular meeting, January 3, 2008, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: I would like to announce a public hearing to review the extension of hours for the Taxi Service, and that meeting will occur on February 21, 2008, at 7:30 p.m. in Council Chambers. Therefore, anyone wishes to attend, please, February 21 at 7:30 p.m.

Also, I have Notice to Legislative Authority from the Ohio Division of Liquor for transfer from Circle Drive, Inc. dba Circle Drive-Thru, 78 E. Sugartree Street, to Naypak, LLC, 78 E. Sugartree Street, Wilmington, Ohio 45177. This will be on file at the office of the Clerk of Courts if anyone is interested.

At this point, that concludes my portion of the Agenda. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. I do not have a proclamation for you because the ladies have not brought it to me yet, but we will declare next week as Beta Sigma Phi Week in Wilmington and Clinton County. We will provide them with a proclamation saying such, but we will make that announcement.

Do we have a scout here tonight? Will you stand and introduce yourself?

Tyler Stewart: I am Tyler Stewart and this is my Dad, Kevin Stewart. I am trying to earn my license for Scouts.

Mayor Raizk: Welcome.

Tyler Stewart: Thank you.

Mayor Raizk: Welcome. We will try to get you a copy of the Agenda, or did you get one already.

Tyler Stewart: I got one.

Mayor Raizk: Did you get one? Okay, great. Now, as you have all been eagerly waiting, it is time for the State of the City.

Mr. President, Members of Council, Distinguished Elected and Appointed Officials, and Fellow Citizens:

After 56 years, David Adair Furniture is closing. It is hard to imagine Wilmington without the David Adair Company. I have spoken about Dave previously in these pages as he really brought the concept of fine living to Wilmington. His elegance, attention to detail and community vision have always set the standard. Now his business ably carried on by Phil Floyd and the staff is closing and will be sorely missed. But the David Adair legacy will live on and continue to be an inspiration to all of us. The generous gift of the Little Giant

property to the city by the Adair family to preserve a part of our past will just add to this legacy. But change is inevitable and change is everywhere.

I was just in New York City. One of my favorite parts of town is the Soho District in lower Manhattan. Soho had quaint older buildings of three to five stories that once housed trendy independent shops and cutting-edge designers. Whatever styles and looks you saw in Soho, everybody elsewhere ended up wearing a year and a half later. Today the quaint buildings are still there, but they are occupied by the same stores you would find in most any mall in America. Unique has been replaced by familiar. Change is inevitable and change is everywhere.

How we deal with change will define us as a community. This is difficult because no one likes change. We like the familiar. If we are to, in the current parlance, “separate ourselves from the pack” we need to determine and promote what makes us unique. With the economic skies darkening somewhat, we will be challenged like never before, to promote ourselves, our “uniqueness,” especially in the area of job recruitment and retention, commercial and retail developments, and residential opportunities. But I am confident that we can meet these challenges and indeed “separate ourselves from the pack.”

Over the past few years, I am proud of the way our community has come together to pull off some amazing events. Wizardry in Wilmington, also known as Harry Potter, attracted record crowds and was most certainly unique. The Holidazzle Parade, a first for Wilmington, was an outstanding success and is already creating buzz about next year. There are plenty more examples too numerous to mention.

This fall the community came together and passed the Wilmington City Schools tax, the MRDD levy, and the Senior Services levy. This was extremely important. Good schools, properly funded, are critical to our efforts to attract and keep good jobs and grow our community. Taking care of our seniors and others that need our help says a lot about the character of Wilmington. Because we have proven we can come together, we look forward to our Bicentennial in 2010, with anticipation and excitement.

The state of the city is safe, secure, and financially sound. 2007 was a momentous year for the City of Wilmington and I wish to thank those that made it happen. First, thanks to council members, past and present, for their hard work and tireless commitment to Wilmington. Special thanks go to David Hockaday, retiring after 29 years of service. His counsel was invaluable, his insight keen, his advice sobering and his friendship cherished. I also wish to thank the Auditor, Treasurer, and Director of Law for their assistance and willingness to work together with the administration to tackle the many challenges we have faced. Finally, I wish to thank all the employees of the city for their dedication, hard work, and professionalism. It is you that make Wilmington truly unique and it is time you get some credit.

As I said, 2007 was a momentous year. Some of the highlights include:

- The annexation of DHL. The citizens of Wilmington finally will be compensated for their investment to the Airpark
- Completion of Davids Drive. We now have connectivity between SR134 and Rombach Avenue opening up the city’s major industrial/commercial corridors.
- Bypass/Relocation of SR73. Construction of Phase 1 is completed with next phases on schedule. We are excited about this critical component of our traffic control plan.
- Completion of our Downtown Grant. Over 18 properties were rehabilitated and infrastructure improvements made with \$1.2 million of private and public investment
- Refinancing of our water bonds. This saved the citizens hundreds of thousands of dollars in interest plus provided new monies to replace aged downtown water lines and for the southern loop.
- Purchase of Engine 2 for the Fire Department. This was accomplished with grants and financing from the Department of Agriculture.

These are just a few of the many accomplishments of 2007. While reflection on the past year is instructive, we must continue to move forward in 2008. Here are a few of the agenda items we plan to pursue this year:

- Economic Development Director. The city has many special and unique advantages that require our own representation if we are to be competitive in job creation and retention.
- Technology Infrastructure. We have done a great job in providing traditional infrastructure i.e. roads, water, sewer, etc. But what technology infrastructure will we need to attract 21st century companies? We need to research and invest in this critical component of our infrastructure.
- Strategic Partnerships to further our economic development. We will pursue new cooperation with agencies such as Clinton County Regional Planning to promote good growth and development.
- New investment in street repair and maintenance. With anticipated new revenue streams available, we must significantly reduce our deferred maintenance of streets and invest in this important department.
- Police Department. Our city has grown tremendously. We must be sure we are adequately staffed to protect our citizens.
- Curbs, gutters, and street appearance. On many of our main thoroughfares, the curbs have disappeared. Not only is this unsightly, but it is unsafe. Since these are “gateways” to our city, it gives a poor presentation. This sounds simple, but will be a larger undertaking and a significant investment.
- Completion of the update to the City’s Master Plan. This essential component needs to be done in the first half of 2008.
- Legislative Changes. We have many nuisance items such as junk cars, trailers, signage, etc. that need additional legislation so that effective enforcement is possible.

We will all need to work together to accomplish these goals and meet the additional challenges we will encounter in the coming year.

Change is inevitable and change is everywhere. But I believe in this community and its people. I have seen first-hand how we can come together and achieve great things. It is this spirit that has sustained us for 200 years. It is this spirit that “separates us from the pack.”

Thank you.

[Applause]

Mayor Raizk: That is all I have, Mr. President.

President Ertel: Okay. Thank you very much. Committee Reports: Asset, Acquisition and Use.

Asset, Acquisition and Use –Chairperson Sandy Mongold: We also have in the audience tonight a new class member of Leadership Clinton, if she would like to introduce herself and where she is from.

Robin Allen: I am Robin Allen. I was not raised in Wilmington, [inaudible for transcription] my life in the military, but I work currently at Quality Quaker Management with seniors and mentally disabled residents, and I am glad to be here.

President Ertel: Thank you.

Mayor Raizk: Welcome.

Councilwoman Mongold: That is all.

President Ertel: Okay. Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have two items tonight. The first item being an Ordinance Making Supplemental Appropriations. I know that it is the second meeting of the year to have supplementals, but we did have the majority of the items on here that go to system upgrade, which we knew about last year. We asked that they not be put in the budget because we were not sure of the exact timing and the exact amount of money. We did know it would pass through, but we were just waiting on the dollars. So that has to be done. We have no choice. We have to upgrade our systems with CMI. The other items are items we knew were going to come also, like the Flex Bank Fees; we just didn't know the amount until the first of the year, so that is why we have the supplementals.

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

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4741 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance Establishing a New Fund. This is for the F.O.P. Continuing Professional Training Fund.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Establishing a New Fund.

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4742 passed as read.

Councilwoman Mongold: We had a very productive meeting on Monday evening, an information session for the new council members. We are going to possibly hold another one the Monday before the first meeting in February...I had it here and lost it...February 4. The time will be announced later. It is to continue out topic of conversations.

President Ertel: Okay. Very good.

Councilwoman Mongold: That is all. Thank you.

President Ertel: Okay. Thank you, Sandy. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Street Committee – Chairperson Peterson: A few things. The legislation that is on the agenda, we are going to continue to postpone that. I anticipate we will be ready to move forward on that on the first meeting in February. We do have a followup. We had a

meeting last week with regard to downtown parking, and there is a followup meeting on January 30 at 6 p.m. in the Community Room. On a related note, as Chairman of the Streets Committee, I am excited about seeing the references to streets, curbs, and gutters in the State of the City. You knew that I would be very happy. That is certainly in alignment with our needs as well. That is all, Mr. President.

President Ertel: Okay. Thank you. Solid Waste and Recycling?

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

President Ertel: Okay. Wastewater/Sewer.

Wastewater/Sewer Committee: Chairperson Mark McKay: I have no report for Wastewater/Sewer, but I would like to take just a moment to introduce a couple of folks that joined us that are near and dear to me – my wife Tammy and my grandson Archer Glenn McGuire. That is all I have, Mr. President.

President Ertel: Okay. Thank you and welcome. Judiciary Committee?

Judiciary Committee: Chairman Mark McKay: We do have one ordinance, Mr. President. This is an ordinance establishing video service provider fees of 3% to be paid by the video service provider offering the service to the city and authorizing the Mayor. Are there questions?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Establishing a Video Service Provider Fee to be Paid by Any Video Service Provider Offering Video Service in the City; Authorizing the Mayor to Give Notice to the Video Service Provider of the Video Service Provider Fee; and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4743 passed as read.

Safety Committee- Chairperson Don Wells: Mr. President, where it says “Safety Director” that should be under Safety Committee, so we are going to have tonight three readings on a resolution Authorizing the Law Director to Commence Legal Proceedings. Are there any questions or discussion?

A motion was made by Wells and seconded by Peterson to give the first reading only on A Resolution Authorizing the Director of Law to Commence Legal Proceedings.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2061 passed as read.

President Ertel: Very good, Don.

Councilman Wells: That is all for tonight.

President Ertel: Thank you. Downtown Revitalization?

Downtown Revitalization Committee - Convener Sandy Mongold: The CIC is meeting in the morning to elect officers, just as an update. We have some new committee members on Main Street for next year. For the Main Street Program, Mary Kay Vance is going to be the Chairman/President or Main Street Chair. I am going to be the Promotions. Kevin Oates will be Design. Chris Schock is joining us as Organization Chair. Debbie Stamper is Economic Restructuring. We will be electing officers of CIC in the morning. Earlier this evening, just as an update, the Promotions Committee met, and we have planned events for this year that are going to be a lot of fun. We are going to have some concerts downtown, and we are going to bring the Brown Bag Series back, now that the renovations and repairs are completed on the marquee, so we will be doing some Brown Bag Lunches again. There will be a lot happening downtown. Thank you.

President Ertel: Thank you. Parks and Recreation Committee?

Parks and Recreation Committee - Convener Mike Wallace: We have a couple of housekeeping things [inaudible for transcription]. If you all recall, we are still trying to work on this tennis court project and get it right. Some time ago, we passed a resolution for the Mayor to sign for this land to be a gift from the school district to the city, and it can't work that way through some legal rings. We have to rescind that ordinance and then go back and do another one where we end up paying \$100 for the property [inaudible for transcription]. Really, it is just a couple of little minor things we have to try to get done for this property.

President Ertel: Couldn't you have driven a better deal than that?

Mayor Raizk: You want me to drive a better deal than that.

[Laughter]

Councilman Wallace: Are there any questions?

A motion was made by Wallace and seconded by McKay to give the first reading only on A Resolution Rescinding Resolution No. 2022 Accepting a Gift.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

A motion was made by Wallace and seconded by Peterson to pass the resolution as read.

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

Motion passed.

President of Council declared Res. No. 2059 passed as read.

Councilman Wallace: Okay. The second phase of that then we would like to go back and create a resolution for the mayor to authorize purchase of this acreage for \$100.

A motion was made by Wallace and seconded by Peterson to give the first reading only on A Resolution Authorizing the Mayor to Purchase 6.925 Acres of Real Property from the Wilmington City School District for \$100 for the Construction of Tennis Courts and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2060 passed as read.

Service Director- Service Director Larry Reinsmith: No real report, Mr. President.

President Ertel: No snow.

Service Director Reinsmith: No snow, [inaudible for transcription]. We're in pretty good shape all around the city. I would like to mention that the Mayor's office was pretty busy today in putting this official report together, and a lot of people didn't get to wish Laura Curliss a Happy Birthday today. We would be remiss if we did not recognize her.

[Applause]

Clerk Laura Curliss: Well, thank you very much.

Service Director Reinsmith: That is all, Mr. President.

President Ertel: Very good. Thank you.

Safety Director – Nick Babb: Twenty-nine?

Clerk Laura Curliss: Yes, that's it.

Safety Director Babb: I have to work with her. We seem to have a new council member here. Are you going to introduce him?

Councilman McKay: I already did.

Safety Director Babb: You already did? I was studying the Agenda or something. We took bids...If council will recall, back last fall we passed a resolution to bid Engine 2, our 35-year-old American LaFrance, so we didn't get any bids. We are going to try maybe e-Bay and try to sell it on that maybe. The Safety Committee meeting is next Wednesday. It is an important meeting. There are a couple of important topics – police cars and personnel. For those council people not on Safety or who cannot make the meeting (you all are invited, of course), I would encourage you to stop down and see our Assistant Chief Police Weyand. He has an excellent presentation on the status of where we are at with our police cars right now, the mileage and stuff. I would really encourage if you can't make the meeting, stop down and get with Duane, and he can give you a real good overview of where we are at. So any questions for me? All right. Thank you, Mr. President.

President Ertel: Very good. Thank you, Nick.

Councilwoman Peterson: Yes. What time is the meeting Wednesday?

Safety Director Babb: Oh, I'm sorry. 6:00 p.m.

Councilwoman Peterson: Okay, thank you.

Reports:

A motion was made by McKay and seconded by Wells to approve the December 2007 Auditor-Treasurer Report, Annual 2007 Treasurer's Report; Statement of Interest Earned

Second Six Months 2007, Statement of Interest Earned Twelve Months 2007, and Statement of Interest Earned 1982-2007, December Income Tax Receipt Summary, Annual Income Tax Receipt Summary, and 2008 Projected Revenue Report, as received. Motion passed.
Reports accepted as received.

President Ertel: At this point, I would like to open the meeting up to any person of the general public and/or council to address council while in session. If you would, please approach the podium and state your name and address for the record.

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 Jaehnig to adjourn. Motion passed.
Council adjourned.

ATTEST:

President of Council

Clerk

COUNCIL

February 7, 2008

Wilmington City Council met on Thursday, February 7, 2008, with President Fred Ertel presiding.

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

Assistant Chief Weyand was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Peterson to approve the minutes of the last regular meeting, January 17, 2008, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: I would like to announce a public meeting for March 20 at 7:30 p.m. for a rezoning request from Dennis and Cynthia Whitfield for 0.357 acres located at 564 Prairie Avenue from I1 Industrial to R1 single-family residential. Again, that will be March 20 at 7:30 p.m.

Councilwoman Peterson: Mr. President, may I ask a question? Obviously, we want to go through the process on this, but is it possible that we need to have one reading and have two...

President Ertel: Well, let's see.

Councilwoman Peterson: I'm just trying....this family is in the process of relocating.

Mayor Raizk: Could I answer that?

President Ertel: Sure.

Mayor Raizk: It has been the policy of the council that we have the public hearing and one reading at the first meeting. Then, with a letter to the President stating some reasons for wanting to advance that, we have had second and third readings at the next meeting. That has usually been the procedure. That way, you serve the three readings, but...

Councilwoman Peterson: I have been in the process, but I wanted to see how we could do it.

Mayor Raizk: ...but there are time constraints that have to be dealt with.

Councilwoman Peterson: Yes. They are in the process of trying to relocate. That is assuming that there are not any objections from...

Mayor Raizk: Right.

President Ertel: Sure.

Councilwoman Peterson: Okay, great. Thank you.

President Ertel: Would it possible to possibly move that public hearing forward?

Law Director Kathryn Hapner: We have to have the certain time period.

President Ertel: Okay. Very good.

Mayor Raizk: It is statutory.

Councilwoman Peterson: Thank you.

President Ertel: Very true. I just wanted to make sure. Thank you very much. At this time I would like to recognize Debbie Stamper please, the Executive Director of the Clinton County Convention and Visitor Bureau. You have some literature before you, and I am sure she is willing and ready to explain it.

Debbie Stamper: I am. Thank you. It is good to be here tonight. This is actually the ninth time, the ninth year, that I have come at the first of the year. As some of you all know and some of you don't, our resolution that was made when the Bureau started actually requires that I come once a year and present the budget and marketing plan. I will try to make this brief because I saw I wasn't on the agenda so I imagine I have to be short. You have a couple of things (and I kind of followed the format that I always do...it's just kind of simple), but you have a marketing plan and budget. Then also, I didn't know if you had all seen our new Visitor's Guide (and I am going to briefly talk about that in just a second), but we went back to a booklet form, and we have incorporated the Restaurant Guide and the 2008 Calendar of Events. Also, in the back of it, Laura and I worked together for a long time coming up with a map of the recreational trails. So that is actually part of our piece now. We try to make this an all-comprehensive marketing piece so that we would not have to do a lot of individual pieces this year.

Anyway, just very briefly, in looking at 2007, we kind of had a surprise, as 2006 was a record year in terms of occupancy in our hotels. We really were geared up and thought we would see the same thing in '07, but a couple of things happened that negatively impacted that. One of the things was, of course, rising gas prices. We all have lived through that. The second thing was the contract that DHL had with their employees and their pilots. They had said that for one year they would pay for those employees to stay in Wilmington in a hotel during the week while they worked and then they would go home on the weekends. Anyway, that one-year contract expired, so all of a sudden there was just a drastic decline in business travelers through the week at our hotels. We were way under budget from where we had budgeted. In spite of that, we were able to complete all of our goals for 2007, thankfully.

The major things that we did in '07, as I would say all of you are aware, we went through a branding strategy. We came up with a new logo and all of the things that go along with that. In conjunction with that, we debuted our Ambassador Program, which is designed primarily for businesses that serve our visitors. It is a training program to teach business owners out to establish a service culture at their business as well as for customer service front-line people. We did extensive customer service training. We talked about tourism and why it is important. We also gave them a resource book to use at their business – the whole reason behind that being that if we get people here our new brand says it is an open invitation. The only way it can be an open invitation is if everyone buys into this idea, so how they treat the visitor when they come in is extremely important. I can't be everywhere every day. Anyway, the year was good. We kind of raised the bar on all of our advertising. We were in print media, television, did some radio, and just across the board, we had a great year as far as that. In looking at industry projections, they are projecting for this year that things are going to be just a little bit of an increase but pretty flat. We as well, in meeting with the hoteliers, kind of expect that to be the situation too since we have lost that business travel. What is going to have to happen this year is we can cut back on our budget. We are kind of keeping in line with what we actually collected in 2007. That means that we have to be smart about how we spend our dollars and try to look for avenues to consolidate expenses. The Visitor's Guide was kind of the first step in that direction. Also we are going to have to definitely address the fact that we have lost this business travel and what kind of market can we go after that we can replace that business. So I am going to be working with the hoteliers and getting input and looking at research.

Mayor Raizk: How much are they off, Debbie?

Debbie Stamper: Dollar-wise, which is all I have to gauge it on, we were off about \$50,000 from where we should have been. In 2006, they had record years. Most of them were all at 70% occupancy for the whole year.

Mayor Raizk: Or greater, yeah.

Debbie Stamper: Or greater. This past year they were around 63%, which is quite a bit for them, you know. Anyway, we are going to have to try to find a niche market that can replace that. The other thing that we are going to be doing this year is integrating our new brand. We have this new brand and we don't even have it on our windows yet. In fact, Steve Holland called me today and they are supposed to be up in about three days. You know, we're getting that into all of our marketing material and all of the different resources that we have. We are going also to continue with our Ambassador Program. We had 33 people go through it last year and we hope that we can have that many this year. As travel trends emerge, we will just be responding to those as needed.

Just a few real quick comments about the budget itself, and then you can look at that at your leisure. What you will find is the line item budget and then following it is a line-by-line explanation of the logic behind how we came up with that figure. You will see the money and income that we budgeted for. A couple of things: on advertising, we kind of cut back on that and pulled back. We are not going to leave any of the markets that we have always promoted and advertised to, but we are just going to try to be a little smarter about it and look for quality versus quantity and look at pieces that have a longer shelf life. So let's say you have a magazine that comes out once a quarter; that means we have a shelf life of three months, so we will be looking at those kinds of things. Then as we start getting the income this year, we were very conservative, so if we see that we are getting more income than what we anticipate, then I will be discussing with the board some other projects that we could possibly buy into as the year goes on.

We are still doing the grants this year. In fact, we announced those at our open house. I think this is kind of interesting, so I'll mention it – I found out through one of the state associations that I belong to that there is an insurance for catastrophic loss of income for bureaus. What that means is, let's say a hotel got hit by a tornado and half of their rooms were out of service for whatever length of time, then whatever that estimated income would have been that we should have received, the insurance would cover that. It is really important to us because if we didn't have that then we would be in dire straits, so we did actually get that new policy this year.

One of the other things is every two years, as some of you know, we are mandated for a state audit and this is the year, so we will be having a state audit this year. Also, we did contract with the State's Division of Travel and Tourism. They are going to be doing an economic impact study this year. They did not do one for '06. Last year, they decided to skip a year, so they will be doing one this year for '07. As soon as I get those figures, which will be this summer, I will share that with you all and let you know where we stand. Really, there is nothing else. Most of our expenses are just tied to what it was last year. We are going through a whole new overhaul again of our web site, with some new features and with our new look and everything. Any questions? That was pretty fast.

Councilman Wallace: I've got a question. It is kind of off the beat from your heading here, but when I pick up a travel magazine, like the travel section of the Enquirer, they have like one-day trips. If you go, you go here and this is what you can see there. How do they get all of those planned out? Is there an organization that does that stuff?

Debbie Stamper: Well, is it an ad that you are seeing?

Councilman Wallace: It's not really an ad, it is a section that is there every week. It is not advertised. It is like a one-day trip from Cincinnati. They might head into Kentucky...

Debbie Stamper: What you do, I mean, we're all doing the same thing. We're all trying to work with all of the media to try to...we send press releases. Unfortunately, Cincinnati does not really recognize Wilmington.

Councilman Wallace: No, I was thinking Cleveland and Toledo. I wasn't...

Debbie Stamper: Oh yeah, definitely. I mean, we send them every time we have an event or we send up these itinerary ideas of what people could come here and do. Unless you have something that really stands out they might run it. If you don't, then the only

way you're going to be able to be sure you get it in there is if you pay for ad space. As you all know, the advertising is very expensive.

Councilman Wallace: The way that this is laid out it looks like it is put out by one person who puts it in there, you know...

Debbie Stamper: Well, like daily, I get requests to go into advertising travel sections, but you just have to have the money to do all of those. For example, I just did a press release on all of the new teahouses that are in the county and had networked with a gentleman who has a web site called ohiotraveler.com. He sent it out for me because he is really well known. That same day we got hits from Pittsburgh, Pennsylvania. They were running it in a travel section of a newspaper up there. There were several that were not local but within the state, so you just never know. It is hard to get people to understand that. You know, there are no guarantees. We just keep doing it. Cindy?

Councilwoman Peterson: One comment I will make on that article about the teahouses: I heard a few comments out in the community that they didn't even know they existed...

Debbie Stamper: Oh, really?

Councilwoman Peterson: ...until that article ran.

Debbie Stamper: So, we run them local and we also run them out and about. But we want our people to know about it too. Don't?

Councilman Wells: The Ambassador Program, is this primarily for businesses and business employees?

Debbie Stamper: It really was designed for front-line employees like receptionists at say a front desk at a hotel or at a restaurant. What happened, though, is that probably three-fourths of the people that attended were business owners, small business owners, which shocked me. So after I had developed the program, I had to go back and totally revamp it because I was talking to a different market. I didn't want to preach to the choir. You know. as we get more mature, we feel like we know all about customer service. You know, we did some highlights, but then that is why we started talking about the service culture and how you grow that in your business. Really, it has been kind of a mixed bag. We don't turn anyone down. We have even had county people that volunteer on boards and things like that, so it has just been across the board. Rob?

Councilman Jaehnig: It's an excellent program. My wife went through it and she talked about it for three weeks. The amount of material that she brought home finished off filling up our guest room and now we have had to move on.

Debbie Stamper: I always like people to go home with something.

Councilwoman Peterson: That is all in the language of the mission, which is an open initiation. People want to feel welcome and tell their friends about it, and if they don't feel welcome they are probably going to tell their friends about that as well.

Debbie Stamper: Probably so.

Councilwoman Peterson: All of the marketing in the world doesn't help us if they go into the business and don't feel welcome.

Debbie Stamper: That's absolutely correct.

Councilman Jaehnig: It's a state of mind, definitely. It is a state of mind.

Councilwoman Mongold: Are we too late to get the schedule of our downtown events in your web site?

Debbie Stamper: Oh, no. We can do that the same day that you give it to us. The only thing is all of the magazines, like the state magazine that has all of the events in it; we are working nine months out. But if it is our web site, no, absolutely not.

Councilwoman Mongold: I'll get that to you.

Debbie Stamper: Okay, great. Okay. Thank you very much.

President Ertel: Thank you, Debbie. Great work. Okay, at this point in time [loud buzzing noise over amplification system] I'll ask Laura to turn that down. Thank you, Laura.

Councilman Wells: Oh, I thought that was a drum roll.

[Laughter]

Councilman Wells: I thought something big was going to happen.

President Ertel: I can guarantee you that is never going to happen. Very good. At this point, I would like to turn it over to the Mayor. Mr. Mayor.

Mayor Raizk: That is about as much drum roll as I am going to get. I don't really have a report tonight, but I would like to say that I know there have been a lot of negative scenarios in the press all over (I'm not picking on Gary). Gary is trying to follow a story line that has been started in Bonn and working its way West. I would like to say, so folks don't think... While the city and myself particularly have not commented a great deal in the paper, there is a reason for that, because there has not been a lot to comment on. I think we have had one article that has been dissected four or five times by other media and it gets kind of rehashed over and over again like they just discovered it yesterday. In reference to DHL and how that could impact Wilmington, there are a lot of things out there. I have been in contact with senior management, and we are agreeing to stay in good touch with each other about things. As folks understand in these trying economic times, though, there are some things that need to get turned around. It is also not a very good economic climate to do that in, and that affects a lot of peoples' businesses. Those of us up here, I think we represent a whole bunch of different types of businesses, and we are all facing a difficult economic... the last 18 months have been difficult and the next 18 look like they are going to be difficult. That being said, we are in contact. I have also been in contact with the Governor's office and we have those lines of communication open. We are all working together. The Wall Street Journal article, for those of you who have the chance to read that and Gary did provide it to me, in talking with the senior management at DHL, it was a very evenhanded and fair article. There were four key elements in there and all of them point to their continued presence in the US market is critical to their business. Their international business does not function if they do not have a sizable presence in the US market, and the international business has been their mainstay. So they will have a significant presence and will continue to do that and continue to evaluate how they are going to do that, but when they are talking the US business, they are also talking about Wilmington. They have a considerable investment here. They are continuing to work to see how best to do that and working with their partners to make things as good as they can be and see where they are going. I guess I'm almost going to give the "Only thing we have to fear is fear itself" speech in that everybody is talking and we are working on it. Let's don't panic too early in the stage because I think things are going along and there are a lot of folks here that this is their livelihood and we want to support those folks and ensure that that continues on. We will do whatever it takes to make sure that that happens. I just want to kind of give you...I took three or five minutes there to say nothing...but I think I said a lot...I hope I did. We are in communication, we are working together, and we will continue to do that. That is really the main thing I had. I didn't really have a report other than that. Other than to say, I did attend a function this morning that I thought was very good. The Chamber of Commerce had their (and some of you, several of you were there, many of you were there) first networking meeting. I was asked to be the speaker. I gave kind of a...Laura did a great job for me, probably at 3:00 in the morning, but she did a great job for me of putting together kind of a little short...what do you call it?

Clerk Laura Curliss: PowerPoint slide show.

Mayor Raizk: PowerPoint. Okay. I'm a MacIntosh user.

Clerk Laura Curliss: Slide show to you.

Mayor Raizk: There you go. That's good. I like slide show. Anyway, it was kind of highlights of the State of the City and it was well received. It was a great group. I think there had to be about 70 people there at least. Anyway, I think everybody is looking to work together and pull together, and it was just a good feeling and a good time came out of that group, and I just felt very positive about it. That is all I have. I'll turn it back over to the President.

President Ertel: Thank you very much, Mr. Mayor. I would like to move into the committee reports please. Asset, Acquisition and Use please?

Asset, Acquisition and Use –Chairperson Sandy Mongold: Oh, yes. I'm not use to that. No report.

Auditor – President Ertel: Seeing as there is no Auditor, there is no report. Finance Committee? Sandy?

Finance Committee – Chairperson Sandy Mongold: Yes. We do have two items tonight. The first item is a resolution Authorizing a Request for Advance Payment for Settlement from the County. This is just standard procedure. Every year this is what we need to do to get our money.

A motion was made by Mongold and seconded by McKay to give the first reading only on A Resolution Authorizing a Request for Advance Payment for Settlement from the County.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2062 passed as read.

Councilwoman Mongold: The second item tonight is a resolution authorizing payment of expenses incurred in the prior fiscal year. This is what we call the "then and now." This is for expenses that were incurred in 2007 but not paid until 2008, so we need to appropriate the funds that were not appropriated.

A motion was made by Mongold and seconded by McKay to give the first reading only on A Resolution Authorizing Payment of Expenses Incurred in Prior Fiscal Year.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2063 passed as read.

Councilwoman Mongold: I apologize that I missed the finance meeting last Monday. At that meeting, they scheduled the next finance meeting for February 19. We have changed that date to February 15 at 12:00 noon. That is a Friday. That is all. Thank you.

President Ertel: Thank you. Water Committee?

Water Committee – Chairperson Mike Wallace: Yes, Mr. President. We have a couple of items we need to address this evening. Periodically we need to buy some chemicals to treat our water, so we need to give our people authorization to advertise for bids since we need some of this stuff purchased. Are there any questions?

A motion was made by Wallace and seconded by Jaehnig to give the first reading only on the ordinance Authorizing the Advertising for Bids and Purchase of Chemicals for the Water Department.

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4744 passed as read.

Councilman Wallace: The second item is along with this we have some lime sludge that we have collected and we need to get that hauled out of there, so we need some action to be able to get that out and get that taken care of.

A motion was made by Wallace and seconded by Peterson to give the first reading only on the ordinance Authorizing Advertisement and Contract for Hauling of Lime Sludge from Water Treatment Plant.

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4745 passed as read.

Councilman Wallace: That is all I have, Mr. President.

President Ertel: Why, thank you much. Streets Committee?

Street Committee – Chairperson Peterson: Well, we have an ordinance that I am going to ask that we postpone this once again. I think most of you were at the Streets Committee meeting. The background on this is we had a public meeting about a month ago and asked for input from downtown residents, business, and property owners. Overwhelmingly, they stated that didn't want to enforce parking. They wanted to give a shot and try for more passive enforcement. Personally, I give great weight to the people that are on the ground and closest to the situation. So we brought forth at the last meeting a plan that basically was passive enforcement, asking business and property owners and residents not to park in the prime spaces. Upon reflection, it appears most of the downtown business and property owners and merchants really determined that that wasn't over. I think they looked out on the streets and thought, "You know what, I don't see the cars moving without enforcement." So the good news is, we have taken a giant

leap forward because it is better that we identify these problems now than sit... There is nothing that we are doing that we cannot undo, but it is certainly a lot easier to get off on the right foot. So we have a Streets Committee meeting scheduled for February 14. It is at 6:00 and it will adjourn promptly at 7:00. It is Valentine's evening, and that was our deal. We will adjourn. Most of you have participated in my meetings and I am big into adjourning on time, especially when I haven't had dinner. So we have several agenda items. We will spend the first few minutes asking for citizen input on the existing parking plan, the one that is on the books today, asking for their input. Like I said, we will spend 10-15 minutes on that and then we have several other agenda items. It is in your packet. Those agenda items include legislation regarding semi-tractor parking off-street in residential areas, some citizen complaints that we have had at Locust and Nelson, and then just a brief discussion with regard to long-term planning and financing of future street paving projects.

Councilman Wallace: Can we also take a look at the current existing downtown parking map that we have? That came up, and we have to do something about that.

Councilwoman Peterson: Is that in the packets?

Councilwoman Peterson: I believe Larry can probably get you one after the meeting.

Councilman Wallace: Sorry, Geoff. I said we need also to address the current map because that is always coming up in this conversation.

Geoffrey Phillips: Is that what you're...?

Councilwoman Mongold: We're doing that.

Councilwoman Peterson: Yes. I apologize. The enforcement officer...my understanding is that I compared...

Service Director Larry Reinsmith: Are you talking about the map as it exists today? He came and got 40 copies and passed those out, and then he came back yesterday and got more. So he has been passing them out to all of the area merchants and residents.

Councilwoman Peterson: Do you have some that you can give to those of us on council? I found mine at home, but if we could get those so that people on council can take a look at it.

Councilman Wallace: I may have the parking map. I would still...

Councilwoman Peterson: I found one in my council packet.

Clerk Laura Curliss: I didn't have enough. They all went. I have like three left.

Service Director Larry Reinsmith: And everybody didn't get one?

Clerk Laura Curliss: No.

Service Director Larry Reinsmith: We thought you were going to get some....

Councilwoman Peterson: I found mine.

President Ertel: Let's make sure that the council persons get them, though. It is excellent.

Councilwoman Peterson: We appreciate the fact that he is passing those out. That way citizens can come in and have input and already have a map in front of them.

Clerk Laura Curliss: What you are getting is the map of the parking as it exists today. It is an old map, really. It is nothing changed, right?

Councilwoman Peterson: It is what is currently enforced, though.

Mayor Raizk: Yes. It is the map that exists. It is the map by which if Kathryn had to go into the court it would be the one that she would have to act on.

Law Director Kathryn Hapner: Here it is.

Mayor Raizk: That's it. Isn't that right?

Councilwoman Peterson: Great. So, we are going to postpone this, and we will revisit it at a future meeting.

Mayor Raizk: Can I ask a quick question, and I may have been lost in the start. The Streets Committee meeting on February 14 is not dealing with this?

Councilwoman Peterson: Actually, we have several agenda items, and that is one of them.

Mayor Raizk: I mean is that going to be a big public meeting?

Councilwoman Peterson: There will probably be quite a few attending. I don't know, but...

Clerk Laura Curliss: It will be in the Community Room.

Mayor Raizk: My question is that if you are going to have an hour meeting, I don't think we can talk about our 2008, 2009, and 2010 projections, and there was something else you...

Councilwoman Peterson: Actually, Larry and I had discussed that a little bit. It would just be probably five minutes where we just at least expose the committee and the rest of council to the long-term plan. We are not going to have a detail, but we want to get...those who will be attending that are on Finance Committee, we want to make sure we start to get this out in front of them because we are going to be appearing at your committee. We're just giving you a warning. The other two agenda items should not take that long.

Mayor Raizk: Okay, I just wanted to make sure that...

Councilwoman Peterson: I appreciate that, but those have been hanging out there for a while and I don't want them...

Mayor Raizk: Yes, and they are significant.

Councilwoman Peterson: They are. Thank you for bringing that up.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: I have no report this evening; however, Donnie Maher has included in our packets a curbside recycling report for the first 12 weeks. Did you all get to see it? We are currently at 6%. I think we probably should try to organize a committee meeting so we can have some discussion about increasing the usage and our future plans. We could try to get together and have another committee meeting.

Councilman Jaehnig: Don, do we know in relationship to these new numbers compared to when the cards went out?

Clerk Laura Curliss: The cards hit about January 9th, 10th or 11th.

Councilman Jaehnig: That is one of the interesting factors I noticed. I am sure that this breaks down by neighborhood. The Tuesday trash pickup went from an average to 6.5% to 12.5% and I am proud to say that is fourth ward and is the Lakewood subdivision trash pickup day.

Service Director Larry Reinsmith: No, that's Denver Place.

Clerk Laura Curliss: That's Denver.

Councilman Jaehnig: That's Denver's. Oh, I'm sorry, we put it out Tuesday night and it is picked up Wednesday morning.

Councilwoman Peterson: So, you see you're still...

Councilman Jaehnig: I'm second.

Councilman Wallace: We hereby challenge you to catch up with us.

Councilwoman Mongold: Fourth Ward is on Friday.

Councilman Wallace: We're the blue bag neighborhood.

[General Banter]

Mayor Raizk: I have just seen the vision of the next round of advertising needs to be that ward councilman challenge everybody and maybe give out pizzas or something to do that.

Councilman Jaehnig: I'll take that challenge.

Mayor Raizk: What did the Monday trash pickup do?

Councilman Jaehnig: 4.5%. It was the Friday trash pickup that needs work at 2.75%.

Councilwoman Peterson: That's mine. That's mine.

Kathryn: Hey, I have a recycling bag now and it is full. I'm putting it out tonight.

Service Director Reinsmith: You've had it for four months, though, Kathryn.

[Laughter]

Councilman Wells: Okay, that is all I have Mr. President.

Councilman Wallace: Well, that really degenerated.

President Ertel: Okay, Wastewater/Sewer Committee, please.

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

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairman Mark McKay: No report.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Don Wells: Yes, Mr. President. I have a couple of items on the agenda tonight. The first item is three readings on a resolution accepting a gift of \$1000 from Wal-Mart for the Police K-9 Unit. Is there any discussion or questions?

Councilwoman Peterson: Is this cash or is it dog food or...?

Councilman Wells: I have no idea.

Clerk Laura Curliss: It came in the form of a check.

Councilwoman Peterson: I just wanted to know.

Mayor Raizk: It is a check.

Councilwoman Peterson: Thank you.

Mayor Raizk: Wal-Mart is very good. They distribute it different; they have a department that actually does that. When requests are made, they give checks out to all different kinds of charities.

Councilwoman Peterson: That's great.

Councilman Jaehnig: This is not a matching fund like Wal-Mart does, this is a flat out gift?

Mayor Raizk: Yes.

A motion was made by Wells and seconded by Jaehnig to give the first reading only on A Resolution Accepting Gift from Wal-Mart for the Wilmington Police Department K-9 Unit.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2064 passed as read.

Councilman Wells: I would like to thank Wal-Mart. Okay, for the second item, I would like to have the first reading on an ordinance amending ordinance No. 4654 and a section of Chapter 123 of the Codified Ordinances. Are there any questions or discussion?

A motion was made by Wells and seconded by Mongold to give the first reading only on the ordinance An Ordinance Amending Ordinance No. 4654 and a Section of Chapter 123 of the Codified Ordinances.

Motion passed.

Director of Law read ordinance by title only.

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

Councilman Wells: That is all we have this evening.

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

Downtown Revitalization Committee - Convener Sandy Mongold: As I mentioned to Debbie as she was giving her report, we have identified a schedule of events for 2008 for downtown and it going to be quite exciting. We are going to bring back the Brown Bag Lunches. We are going to have two concerts at some location in downtown. That should be coming out in the newspaper. I apologize. I was going to bring you that schedule tonight and I forgot it, but I will promise to bring it to the next meeting. That is all.

President Ertel: Thank you.

Councilman Jaehnig: I'm sorry. Sandy, would that include the Holidazzle event?

Councilwoman Mongold: Yes it does.

Councilman Jaehnig: Thank you.

Councilwoman Peterson: I just want to make a comment. We went to the Hannaford House last night, and I noticed a trophy on one of the mantels. I went up and it was the window trophy from this year. I understand that is a very competitive thing with the downtown merchants.

Councilwoman Mongold: Yes. It is growing every year.

Councilwoman Peterson: They are grieving that they have to sit out a year, but I think that's great.

Councilwoman Mongold: Yes, and I don't know; we may have to discuss that.

Councilwoman Peterson: I'm not suggesting that you change the rules.

Councilwoman Mongold: Well, there really aren't any rules. Say thank you and I'm glad to them.

Councilman McKay: Mr. President. If you go to the General Denver Hotel, there is also a trophy on the back bar that signifies the parade winning float, the Holiday Hunks.

Councilwoman Peterson: I am so sorry I opened the door for that.

Mayor Raizk: You just couldn't leave well enough alone.

Councilwoman Peterson: I apologize.

Councilman McKay: There is a coconut that is properly inscribed, and you can draw your own conclusions.

President Ertel: Very good. Excellent. Parks & Recreation Committee?

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

President Ertel: Thank you very much. At this time I would like to call in the Service Director. Do you have any words of wisdom, sir?

Service Director- Service Director Larry Reinsmith: No snow, no report, but I do have one little item that I want to mention. We had recently passed an ordinance changing the traffic control map, and we have added stop signs over on Florence Avenue to help with some of the traffic and speeding, and they're not stopping. I have followed several cars and watched them go straight through it. We have flags on the signs, so maybe...

Geoffrey Phillips: The assistant chief has stopped quite a few in the last two weeks.

Councilwoman Peterson: Really?

Service Director: I was hoping that the newspaper might put a little reminder and maybe go out.... It's a good photo-op Gary. Take a picture of that sign with a little headline, "Does This Mean Stop?"

Councilwoman Peterson: A picture of the sign...

Geoffrey Phillip: The Assistant Chief stopping the Service Director.

Service Director: Whatever.

Mayor Raizk: If I had known that, we would moved the ground hog picture out to the stop sign. [inaudible for transcription].

Service Director: A little headline, Gary, you know? "It's not just a good idea, it's the law" type thing.

[Discussion]

Service Director Reinsmith: Thank you, Mr. President.

President Ertel: Thank you very much. Safety Director?

Safety Director – Nick Babb: First, I would like to say just as John Q Citizen I hope we hang in there with recycling. We just started it and we are enjoying it. I think it is going to be a long haul.

Mayor Raizk: Are you on the....

Safety Director Babb: I'm a member of the Denver Place.

Mayor Raizk: Are you on the Tuesday pickup route then?

Councilman Jaehnig: He is.

Mayor Raizk: So that's what is pumping up the 12.5%.

Safety Director Babb: You've got it.

Councilman Jaehnig: It's the 12 bags a weekend that he is putting out.

Clerk Laura Curliss: Beer cans?

[Banter]

Safety Director Babb: I just wanted to bring it to the council's attention. We are testing for police officers. We are required by local civil service rules to have an active test every year, actually. We can request an extension, but that is why you saw it in the paper and you haven't passed the ordinance yet, but that is why we are testing. Are there any questions for me? Thank you.

President Ertel: Very good. Thank you.

Councilwoman Peterson: I just wanted to make a comment. Earlier this evening I met with the assistant chief. I was not able to attend the last Safety Committee meeting and I appreciate the fact that he took the time to give me a special presentation on it.

President Ertel: Okay. Very good. Before you are the reports: the Income Tax Receipt Summary for January 2008 and also a report of Operation of the Clinton County Municipal Court for the year 2007.

Reports:

A motion was made by Wells and seconded by McKay to approve the Income Tax Report – August 2008, and the Report of Operation of the Clinton County Municipal Court – 2007, 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.

Jeff Linkous: Thank you, Mr. President. I'm Jeff Linkous. I'm at 63 Todds Ridge, Wilmington, Ohio. Thank you. Under threat of what Fred told me was after about five minutes he throws the gavel, I will try to keep it short. As you may or may not know, I'm a candidate for County Engineer, and I wanted to come today and talk a little bit about two things: how we cooperate with the city, the County Engineer's office on things, and also to talk a little bit about myself. I will try to keep it short.

First of all, as far as cooperating with the city and over the years, the County Engineer's office does do the permissive tax money each year to provide for the cities, villages and townships. Over the last 20 years, the other opportunity the city has participated in with the county and sometimes jointly is what is called Ohio Public Works money. It was

called Issue II money and now it is Issue I money. It still comes under the Ohio Public Works Committee. The County Engineer's Office, city representatives, and some township representatives all work on the committee in District 10 to obtain public works money for both city and county projects. We do a lot of township projects as well. We would like to continue that. We feel like that is a very good cooperation between city and county. We want to continue that cooperation with the city in the future and continue to try to get money back here in the county. We did use some of that money on Davids Drive. We have used it in other projects, even with the townships and the county engineer cooperating.

A little bit more about myself – as I said, I am running for County Engineer. March 4 is the primary date. There is not a lot of time ahead of us. It seems like it is coming fast. I have been at the County Engineer's office for 27 years. I came directly here from college to serve as the Deputy County Engineer under Jim Nims and currently under Bill Temple, who is retiring. He will be here until the end of the year. His term will be at the end of the year, so this election then starts next January. What I have done out there over the years from when I started – I feel like I have done just about everything out at the County Engineer's office. I worked a lot when I first came here with our crews. I am very proud of what we do out there. Our office, our highway people – I think we do a great job out there. We would like to continue to do that job. We have cooperated as well with the city on some things, even through our highway crews, and we will continue to do that. Being out there for 27 years, I feel like I have not only done a lot of things, I feel like I know what the office does out there. I feel like I know how to run the office. I am very confident that that experience makes me qualified to be the next County Engineer. Not only that, I think out there at the County Engineer's office, we have been great stewards of our money. We try to stretch our money. We try to use our money. As the city knows, we only have so much. We have so many roads. We do roads and bridges. We do a lot with our crews. We've probably replaced 200 bridges in the last 20 years, trying to get all of our bridges in shape. We've done a lot with our roads. Our focus on the future is probably going to be more safety. As you have seen traffic increase in the city, we have seen traffic increase out there in the county too. A lot of the roads that got very little traffic and may have only been very little buildup of road. We have to increase the safety on those roads, the width of those roads. We also have to look at future safety improvements like intersections and site distances and things like that. We've already started to do that. We do accident maps over the years. We do a lot of that now, but as I said, as the county is growing and the population grows as well as the amount of traffic, there will be more and more focus toward those safety items and continuing to improve our roads.

Real quick, not only have I been involved in the County Engineer's Office, I have been involved in our community. I have lived here for 27 years. I have done a lot in this community. I love being here in Clinton County. I love doing what I'm doing out at the County Engineer's Office, and that is why I want to keep doing it. I'll pass these pamphlets out if that is all right. I didn't know if that was okay or not.

President Ertel: Certainly.

Jeff Linkous: It says a little bit about me, but one of the important things is what I have given back to my community. I hope that I have done that in a lot of projects, not only in the city but in the county: everything from Rails to Trails, to helping coach, to do some Safe Routes to School planning. I'm also a board member of the Public Library, Downtown Wilmington Community Improvement Corporation, a consultant for the County Community Improvement Corporation. I feel like I have also given back to my community and feel like this is where I want to be. Like I said, I can't say it enough, you get me talking. I'm not good at political speeches, but I love what I'm doing and I want to keep doing that, and that is why I want to be County Engineer. I appreciate you letting me speak tonight, and if I didn't have enough flyers I'll get some out to everyone.

President Ertel: Okay. Thank you.

[applause]

Paul Hunter: Can I ask a question? You're getting a few hundred thousand dollars a year from Municipal Court 2006-2007. You understand that windfall has come down from the weight stations. Do you think that is going to continue to come your way or is it going to go back to the general fund?

Jeff Linkous: I think that comes by code to us. Is that is what you are talking about?

Paul Hunter: Well, it is in contention. I was just wondering if you were counting on that year after year.

Jeff Linkous: Well, we would like to have it year after year because we put it right back into our roads.

Paul Hunter: What it boils down to is the citizens of Wilmington are in effect paying twice for the highways because we are paying the Municipal Court and they are sending our moneys out to the county highways. You might look into that.

Kathryn Hapner: It's not our money. It's set by statute where that money goes.

Paul Hunter: You and I have already been through this. We have no more comments on it.

Jeff Linkous: Yes. Anything we get from that, we give back into the improvement of our roads. Hopefully that helps not just the citizens of Clinton County, but Wilmington residents as well.

Councilwoman Peterson: Thanks a lot.

Mayor Raizk: Thanks, Jeff.

President Ertel: Thank you very much, Jeff. We appreciate it.

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

Clerk Laura Curliss: I think Fred wants to say something.

President Ertel: Come up please and state your name and address, would that be okay?

Fred Anliot: I'm Fred Anliot, Director of the Arboretum at Wilmington College.

President Ertel: There we go...we'll do it right there. Do you want to go up to the podium and state your name and address?

Clerk Laura Curliss: No. Fred, he does not have to.

Mayor Raizk: Fred, if you would feel more comfortable sitting there, that would be fine.

Fred Anliot: That would be all right. I am going to take it easy.

President Ertel: Okay.

Fred Anliot. I know most of the people here and most of you know me. For those that don't, I'm Fred Anliot, Director of the Frank O. Hazard Arboretum at Wilmington College. Otherwise, I am a retired professor at the school in the Biology Department. This fall a group of us planted over 16 young trees, eight of which are dead, cut down to the bases. Why? Can I do anything? Now, these were not just planted, they were tagged with strips of an old pair of pants this time (I have used undershirts in the past) and sprayed with anti-taste for rabbits and deer. Now, how many people have deer problems in Wilmington? Now especially since we have a park that has a paved trail that runs through a good deal of woods. About two-thirds of it runs through woods and farmland, from Nelson Road to Fife. Of course, it ends at the park, but it is going to continue on past that shortly, but right now it is done. That means that there is a continuous road that

is inaccessible to vehicles other than bikes and people on foot and maybe golf carts. But there hasn't been one time I have been down there walking along that trail, I haven't seen large game animals. What do you mean by large game animals? Well, I'm pointing out deer specifically, but these would also include black bear (when we had a black bear running around town not too long ago that was deported back to West Virginia), cougar, turkey (I almost stepped on some eggs with Bob Thobaben the other day). It was close, but they were there on the ground. So turkey are back. This was over near a new extension of the new park system that is going up in Culberson Woods. This is a state park, just south of Cowan Lake. It takes in part of the Austin Woods area. I'm looking around to see if I get a nod, and I'm getting none, if you don't know what I'm talking about. If you're lost, raise your hand—I'll fill you in. What other game animals are we talking about? Cougar, mountain lions...

President Ertel: Fred, what are you suggesting? Control of those animals?

Fred Anliot: Well, we wanted them back. We got the deer back. We have the coyotes, which we never had before, [inaudible for transcription], because there are enough deer being killed along the highways. See, they can't bring down (and I've watched them), they cannot bring down an active deer. The deer has to be hurt or dying or dead in order for the coyote to work, and it often works by itself or in a small group. This is a dog-sized animal, not quite as big as a wolf and not quite as big as a German Shepherd, but I would say pretty close. You can tell if you look at the tail – the domestic dog has a curled tail or straight up usually whereas the coyote does not nor does the wolf. The color is a little different, but sometimes you don't get a chance to get that close. You should be able to see the tails, though. Now, what I am saying is that the deer are going to be and are a problem in Wilmington. How or should we do anything about it?

Mayor Raizk: Fred, along with that, I have noted that some communities, I have read, have instituted urban hunting programs or at least talked about it. I don't know anything about it, but do you have an experience with that? This is all bow hunting as I understand it.

Fred Anliot: Yes, I have done a lot of talking with people and shared my other ideas with others with not only Wilmington residents, but people from Clinton County and elsewhere: in Fort Thomas, for example. Boy, they are saying we opened a can of worms when we allowed bow hunting in Fort Thomas, Kentucky.

Mayor Raizk: That is what I was wondering.

Fred Anliot: It is just across the river from Cincinnati, across the river on the top of a hill. Personally, I don't want to see firearms being discharged in Wilmington of any sort.

Mayor Raizk: By law they can't be, so....

Fred Anliot: Yes, by law they can't be, and I'm all for it. I don't want to see an open hunting season taking place like they did in Fort Thomas, but we're faced with these kinds of... They made a choice and said, "Well, let's do it." The can of worms was that they also got in people who said, "Well, the deer have rights too."

President Ertel: Well, I'm certainly glad that you brought this to our attention. I think possibly we could take a look at it in one of our committees to see if that is something that perhaps we would need to do here in Wilmington. I agree with you – we do have a lot of wildlife that we have not had in the past, and it does create problems.

Fred Anliot: How do we get rid of them in the first place? We were trying to starve the poor Indians to death. That's how we got rid of the large game animals around here. Tell the Right-to-Life people that and they don't like it. Boy, they get sore. But why did we eliminate deer and turkey? Well puma we can understand, and black bear perhaps. It worked with the Iroquois because they routinely over-hunted and moved, but it did not work with the Shawnee who had treaties with the Cherokee to keep Kentucky and [inaudible for transcription] and had public hunting grounds for both tribes – one Southern and one Ohio. The Shawnee had [inaudible for transcription] and the Cherokee [inaudible for transcription]

President Ertel: Okay. Very good. We will take a look at this in committee and we will make sure you get the report back on it.

Fred Anliot: Are there any comments?

Larry Reinsmith: Maybe you need to start feeding them so they won't eat the trees.

Fred Anliot: You want me to what?

Larry Reinsmith: I do my share. I feed them and then they don't bother my plants.

Fred Anliot: Well, the problem is they don't know that they've done damage until they've done damage.

President Ertel: Okay. Very good. We'll make sure you get in the loop on any actions we do in the City.

Fred Anliot: That is why I brought it up here in the first place. I've tried to put windbreaks around the arboretum and I can't do it because the deer won't let me. I tag everything and I spray everything, and then I don't notice until the damage is done.

President Ertel: Okay.

Fred Ertel: All right. Very good. Thank you very much. We appreciate it, Fred.

Seeing no one else who wished to speak, President Ertel asked for a motion to adjourn.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, February 21, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

President Ertel: Amongst other visiting dignitaries that we are glad to have here, I would like to welcome Jeff Davis and his son Zach who is working on his merit badges for government, I assume. We are glad to have both of you here.

A motion was made by Popp and seconded by Jaehnig to approve the minutes of the last regular meeting, February 7, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: Also, I would like to mention a public hearing on extended hours for the cab service. I would like to open that hearing at this point and hear anyone wishing to address council.

Jeannie Foster, Taxi Supervisor: As you know, last fall we got a lot of requests – well we have always gotten a lot of requests – for extended hours. The Mayor decided last fall that we would try to extend them for a while and see how it worked. We got permission from the state to have a 90-day demonstration period that allowed us to expand our hours. Our old hours were 6:30 to 6:30 during the week, 8:00 to 5:00 on Saturday, and 1:00 to 5:00 on Sunday. We extended them to 6:30 to 9:00 during the week; Saturday stayed the same at 8:00 to 5:00, and then Sunday 8:00 to 5:00. This gives people a lot more flexibility to go to church and to go maybe to an early movie or something like that. Anyway, once our demonstration period was over, the Mayor decided that it worked out pretty well and we wanted to go ahead and extend the hours permanently. Just briefly, during 2007 our ridership increased 36.4%. Part of that was due to our expanded hours. We transported an extra 4661 passengers during those expanded hours, so for being a new service that people are not used to yet with the hours, that is pretty good response. Basically, this public hearing is just because the state gave us permission after we requested to permanently expand the hours, but part of that process is to have a public hearing. In case anybody has more questions or input, there will be a 30-day response period after this public hearing. That is why we are having the public hearing; it is a state requirement to get our hours permanently expanded. Unless anybody has questions, that is about all I have to say about it. I think it has gone very well. We are trying to get some contracts with the churches. One church has contracted with us, which helps our local share a lot. We would like to get some more contracts, but so far, people have been calling individually and riding. It has gone over very well. Does anybody have any questions? Mayor?

Mayor Raizk: No, I would just like to say that the response has been tremendous and better than really... Jeannie's and my, our goals, were much more modest than what we have actually gotten, so we are excited about that – that it is being used. I think it is a great service to the community. The welcoming of the additional hours has been well received by everybody.

Jeannie Foster: Okay. No more questions? Okay. Thank you.

President Ertel: Okay. Thank, Jeannie. Very good. At this point, I would like to close the public hearing. Also, as she had mentioned, there will be a 30-day comment period. If you have any other comments after this hearing, you can direct those comments and questions to the Mayor's office. I believe that takes care of my portion. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. I really don't have any extra comments tonight because I do have some comments about some legislation coming up on the Agenda, so I will keep myself brief so that we can get out before the weather gets us.

President Ertel: Very good. Thank you very much. If it is agreeable with Council, I would like to switch up the order just for the second. I would like to bring Parks and Recreation up because we do have some people here in the audience who are here specifically for that – to make sure that they can get home safe before the white death does hit. We would like to bring them forward, so if we could move to Parks and Recreation Committee.

Parks and Recreation Committee - Convener Mike Wallace: Mr. President, we have one item tonight on the Agenda. As you are aware, we are going to complete the Judy Gano Trail through Denver Park. This has been a long process, a multi-year process anyway. During that course of time, we have had some funds donated to us, and the Rails to Trails folks have been very gracious to let us put some of that money there and they have contributed to that as well. We have a sizable gift to accept as a donation from Rails to Trails, which will be applied as our portion towards the construction on this trail coming up this springtime. Any questions?

A motion was made by Wallace and seconded by Popp to give the first reading only on A Resolution Accepting a Gift.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

A motion was made by Wallace and seconded by Popp to pass the resolution as read.

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

Motion passed.

President of Council declared Res. No. 2065 passed as read.

Councilman Wallace: I would just like to extend a whole bunch of gratitude towards the Rails to Trails folks who are here with us this evening. They have done so much for our community and we have a lot of our linear park surface that we have right now – a lot of the credit goes to these folks. They certainly have enhanced our community, and we really appreciate all that they have done.

Mayor Raizk: Mike, I would just like to echo that and thanks to everybody. We have, I think, a good partnership. The exciting part about it is that “you ain't seen nothing yet.” We have more work to do, and we are working diligently towards that. It just seems like we should have been having this discussion last year or the year before. It took a little longer than we thought. We keep talking about it, but anyway, thank you all very much. We will continue to work and create more linears parks within the city.

Rails to Trails Representative: Thank you.

President Ertel: Would you like to mention anything briefly before we move on to the next committee report? Okay. Very good. Thank you very much. I didn't give you too much time there to think about it.

Mayor Raizk: It was kind of a left-handed invitation.

President Ertel: Moving on to other committee reports. Asset, Acquisition and Use?

Asset, Acquisition and Use –Chairperson Sandy Mongold: Yes, we have one item tonight. I would like to request that we give it all three readings for obvious reasons that we would like to move this process along so that we can pass the maintenance of this

road over to the state. Until this happens, it is our duty to service that area. Is there anything else you would like to say about this, Larry?

Service Director Larry Reinsmith: No, I think everything... Fred had a question about that... That is for all parts of that bypass right on that main road.

President Ertel: Very good. Thank you.

Councilwoman Mongold: If that is acceptable, I would move for then for the first reading on this ordinance.

A motion was made by Mongold and seconded by Peterson to give the first reading only on the ordinance Authorizing Pre-Annexation Agreement with the Ohio Department of Transportation (South S.R. 68 ODOT Property) and Exhibit C, a Maintenance Agreement with the Ohio Department of Transportation Related to the Perpetual Maintenance of the Relocation of S.R. 73 Between SLM 6.52 and SLM 13.20.

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by Peterson to pass the ordinance as read.

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

Motion passed.

President of Council declared Ord. No. 4746 passed as read.

Councilwoman Mongold: That is all, thank you.

President Ertel: Okay. Thank you. Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have two items, the first being an ordinance making supplemental appropriations. Are there any questions about any of the items?

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

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4747 passed as read.

Councilwoman Mongold: The second item tonight is a resolution Declaring Intent to Reimburse under Treasury Regulation §1.150-2 (Urban Paving and Street Reconstruction 2008-2011), and Declaring an Emergency. This is what we refer to as a pyramid ordinance.

A motion was made by Mongold and seconded by McKay to give the first reading only on A Resolution Declaring Intent to Reimburse under Treasury Regulation §1.150-2 (Urban Paving and Street Reconstruction 2008-2011), and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No.2065 passed as read.

Councilwoman Mongold: That is all. Thank you.

President Ertel: Thank you. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Street Committee – Chairperson Peterson: We have two items. The first item is amending an ordinance. This is relating to on-street parking and what can and cannot be parked on the street. There isn't a substantive change here. It is more related to housekeeping and making it easier to enforce what is currently on. Are there any questions?

A motion was made by Peterson and seconded by Wallace to give the first reading only on the ordinance Amending Chapter 351.131 of the Codified Ordinances of the City of Wilmington.

Motion passed

Director of Law read ordinance by title only.

Peterson requested that the second reading only be on the Agenda for the next meeting.

Councilwoman Peterson: Then, you may recall the next item. The Downtown Parking Plan. We are going to be postponing it; however, we are making headway on this legislation. It is very positive. We are having a lot of positive interactions and certainly are getting a lot of input. I will anticipate that at the next meeting it will be postponed yet again, but we have a followup meeting scheduled for March 11. I am very optimistic that we will have the second reading after that meeting.

President Ertel: Very good.

Councilwoman Peterson: Thank you.

President Ertel: Thank you. Solid Waste and Recycling Committee?

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, sir.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairman Mark McKay: No Report.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Don Wells: Mr. President. I have one item tonight. I would like to have the second reading on an ordinance amending Ordinance No. 4654 and a Section of 123 of the Codified Ordinances as Amended. Yes?

Mayor Raizk: Don, although there is no substantive change in this, since you gave it one reading, we have changed the word “Patrol Officers” to “Police Officers.” Should we ask the council to amend the ordinance before reading it?

Law Director, Kathryn Hapner: Yes.

Mayor Raizk: We are changing our nomenclature. It has nothing to do with the number, but it has to do with how we allocate resources. The term is going from “Patrol Officers” to “Police Officers.” I would ask you to pass for it to amend this and then give it a second reading.

Councilman Wells: May I ask one question?

Mayor Raizk: Yes.

Councilman Wells: What is the purpose of the change?

Mayor Raizk: The purpose of the change is because the way we do detectives, they don’t have a separate classification, and the patrol officer is a term that we have used for years and years just because it was there. Upon advice of our employment counsel, he suggested we change that to “Police Officers.” We are also revising the job description to encompass both so that they are all under the same title. As the administration, designates or assigns, if you would, the assignment of duties as a detective or as a police officer, this gives it one encompassing title. The job description is being updated to reflect that. It is not a change in terms of dollars or cents or anything; it is more of how we assign.

Councilman Wallace: Just down the road, though, aren’t the detectives on a slightly different pay scale than police officers?

Mayor Raizk: No, they’re not. No, they’re not. We have just done some exhaustive research about that. This is where most of the departments do this. It is an assignment by the Chief, the Assistant Chief, or by the Administration of the Police Department for those duties.

Councilman Wallace: I just didn’t want us to dig another hole.

Mayor Raizk: No, you’re not. Actually, that is a good question because we have just gone through probably a month’s worth of exhaustive research to get to this point.

Councilman Wallace: Very well.

A motion was made by Wells and seconded by Jaehnig to amend the Ordinance changing “Patrol Officers” to “Police Officers.”

Motion passed.

President of Council declared the ordinance amended.

Law Director, Kathryn Hapner: Now you have your first reading.

President Ertel: Now you can have your first reading.

Councilman Wells: Now we can move onto the second reading?

Kathryn Hapner: No, the first reading.

Councilman Wells: The first reading as amended? Okay, I have a question then. Can we do the second reading then after that or do we have to wait.

President Ertel: You have to start from ground zero again since we amended.

Councilman Wells: Okay, so we'll just do the first reading tonight.

President Ertel. Yes.

Councilman Wells: All right.

A motion was made by Wells and seconded by Peterson to give the first reading only on the ordinance, as amended, Amending Ordinance No. 4654 and a Section of Chapter 123 of the Codified Ordinances as Amended.

Motion passed

Director of Law read ordinance by title only.

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

Councilman Wells: That is all, Mr. President.

President Ertel: Thank you. Thank you, Don. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold – No report, Mr. President.

President Ertel: At this point, we have concluded our committee reports. Service Director? Any words of wisdom?

Service Director- Service Director Larry Reinsmith: It's snowing.

President Ertel: Can we handle it?

Service Director: It's snowing and you know they're talking maybe we will get a little ice after midnight. The good thing is, we just got a big load of salt in yesterday; we got about 600 tons yesterday. The bad news is that we have had a lot of ice this year. We normally spend about \$20,000 to \$25,000 a year on salt. So far this year we have spent \$41,000. We have gone through 1800 tons of salt. Hopefully, this 600 will get us through the season. They are out working and I am sure they probably won't have school tomorrow.

Councilman Wallace: Can I quote you on that?

Service Director: It's probably been called off already.

Councilman Wells: May I ask a question?

Service Director: Sure. No, we don't get our street plowed.

Councilman Wells: There is a pole on Bernice Street out by the curb that is lying there with some blue and yellow flags around it. Can you tell me what that is or do you know anything about that.

Service Director: What kind of pole?

Councilman Wells: A utility pole. It is lying by the curb on Bernice Street. It has some little flags around it. I'm not sure how it got there. I noticed it because my daughter lives very close to that and I just wondered what was going on there.

Service Director: Were there lines attached to it?

Councilman Wells: No. It's got little yellow and blue flags around it. I thought maybe it was some kind of ceremony.

Kathryn Hapner: It's a battering ram, Don.

Mayor Raizk: It's too late for Chinese New Year.

Service Director: We'll check it out tomorrow.

Councilman Wells: Okay.

Service Director: Dave, you're not missing a pole, are you?

Dave: Lots of them.

Service Director: Maybe it's Dave's.

Dave: Don, if you give me your number I'll see if I can find something out and I'll give you a call.

Councilman Wells: Thank you very much.

Service Director: No one has called about anything being out of service of anything. How long has it been there?

Councilman Wells: Just a few days. You know, we had that big wind. I think that's when...

Service Director: We took out a couple of poles, but not on Bernice.

Councilman Wells: Evidently, they took the wires loose and laid the pole down.

Dave: So it's not a new pole?

Councilman Wells: No.

Service Director: The wind probably snapped it.

Councilman Wells: Okay. Thanks a lot.

Reports:

A motion was made by Mongold and seconded by McKay to approve the Auditor-Treasurer Report – January 2008, Law Director's Report – 2007, and Hotel Lodging Tax – 4th Quarter, as received.

Motion passed.

Reports accepted as received.

President Ertel: At this time, I would like to open the meeting up to the general public for comments and/or members of council to address council while in session. If you would, please, come to the podium and state your name and address for the record.

Scott Kirchner: I'm Scott Kirchner, 261 S. Mulberry Street. I wanted to come up to council tonight and voice a little concern. At work I was the recipient of somewhere in the chain an email advertising a very fine family and candidate for one of our county offices. It's Ernie Blankenship. The email originated from here at the city. I am concerned about the fact that city resources, including a secretary, computers, and network access, are being used for campaigning. I believe that would be a little bit inappropriate. The other issue that I found in doing some checking on that matter was that it is my understanding that this advertisement was sent out in city letterhead and with city postage regarding a fundraiser for the Democratic Party, which also I believe would be incredibly inappropriate. I just wanted to voice my concerns that perhaps we should revisit the ethics associated with the offices that we hold and make sure that we are meeting the letter of the law.

President Ertel: Very good. Do you have additional copies of those? Could you present those?

Scott Kirchner: I could leave it.

President Ertel: Can you?

Mayor Raizk: I can tell you about the first thing that you mentioned. I dealt with that because I thought it was inappropriate and it was not permitted and so forth, and I did deal with it. Under the second portion, that letter that went out was an invitation to elected officials and folks to come and hear the Governor because the Democratic Party took it from being a normal dinner to extending that invitation to other folks. Our office did send that out to people on our mailing list, including elected officials, as an invitation. The Governor's office asked if we would do that – not in terms of being a fundraiser or anything like that. We sent it out as an invitation to come and hear the Governor. It did end up getting canceled at the last minute, but that is why it was done.

Councilwoman Peterson: I would also like to make a comment on that. I have had some discussion with regard to that as well. First of all, the Governor's wife was here this summer and there was a brunch or something like that at the hotel that was open. She was not The Democrat's Governor's wife; she was representing all of us. Actually, I went to that. I attended it. I saw colleagues and members of both parties there. This, I know, was advertised for everyone. The press release was very clear. It was for members of both parties. It was not a political event. So on the surface, it looked like a political thing, but I didn't take it that way. I have had conversations with other individuals who shared that feeling. On the surface, yes, it may have looked like a political thing, but it definitely was not and I didn't accept it that way.

Scott Kirchner: With checks payable to the Democratic Party for Clinton County, it would be one thing. I would have absolutely no problem if the elected officials had been invited without it costing. Considering that the event was a charged event and the checks were made payable to the Democratic Party, I don't think you can reason it appropriate. Any member of any party visiting an outing where the Governor is there that wants to hear him speak, I am fine with. My problem is using taxpayer resources to email (or, I'm sorry, actually not email but to actually send that in the mail), I think is incredibly inappropriate. I think truthfully, if the Ethics Commission was to investigate this, you would find it a violation. I don't know, maybe you have checked with the Ethics Commission...

Councilwoman Peterson: I have not.

Scott Kirchner: ...or perhaps you would want to. It is a concern to me that this building is becoming very political on the taxpayer's dime. We spend a lot of money for the folks that I saw that touched that email. I would like to think that they have more to do than run a campaign here at City Hall. There's a couple of hundred thousand dollars of salary there. So, it's just a thought. Thank you.

President Ertel: Thanks, Scott, and, too, we have those and we'll research them and the Law Director will take a look at it and give us an opinion.

President Ertel: Okay, any other comments or any other persons wishing to present to Council?

Rob Jaehnig: Well, if nobody else does, then I would like to say something.

President Ertel: Okay. Would you like to come to the podium so everybody can hear you, or can they hear you there?

Rob Jaehnig: I don't know, am I loud enough for everybody? I've never been accused of being too quiet.

President Ertel: Okay. State your name and address, please.

Rob Jaehnig: Speaking as a citizen and a councilman, my name is Rob Jaehnig at 606 Oak Ridge Drive. To lighten things up a little bit, I would like to talk about an opportunity that I started working on today for the City of Wilmington. I don't know if you pay attention to fluff news, but sometimes I get caught up in it, and Monopoly is building a new game. It is called Monopoly Here and Now, World Edition. They have a web site right now in which you can go on and you can vote for cities all over the world to be on the spaces. Instead of the streets, it will be cities from around the world. Sixty-eight cities have already been chosen to be selected from or voted on. That will take up 20 of their spaces once the voting is done. There are actually 22 properties, not including the railroads and utilities, on Monopoly. The last two properties are the Baltic Avenue and Mediterranean, and those two properties are going to go to wild card cities. I thought, "Jeez, what a wonderful thought, a wild card city." It is a write-in campaign and wouldn't it be cool to see Middle America small town Wilmington, Ohio, on a Monopoly game. It is done strictly by write-in vote. You can sign on to Monopoly World Vote and start nominating the City of Wilmington as one of the selections. They are taking votes up until February 29. The top 20 cities from around the world that are written in will then have a one-week runoff on the web to be voted into one of those two slots. I have paperwork here to pass around so that you can find the web site. I have already contacted the school district. I contacted the Chamber of Commerce, and CVB. We are hoping that Clinton Memorial Hospital, DHL and others will help us in our endeavor. We are going to have an email campaign in which we hope to email over the next 3-4 days out to about 5000 individuals in the city to help us vote Wilmington on to the Monopoly game. The email will also additionally ask them to forward that email on to their entire address book, which at that particular point most people have at least 10 addresses in their address book in the email, and we will be hitting nearly 50,000 people at that point. If you think about it as a news story, it would be very easy to be picked up and say, you know, small town Wilmington, Ohio, is going after a Monopoly spot. It could very easily be picked up. Even if we don't make it – what a great run. What a great opportunity to show what Wilmington is all about and get our name out there. Wouldn't it be great if we happened to actually make it. We could have a Monopoly party every year then downtown or a Monopoly parade...who knows?

Mayor Raizk: How many times can you vote?

Councilman Jaehnig: You can vote once every single day. You register just like a registered voter with Monopoly. You only have to give them your email address, so it's not like you have to give them a lot of information. They control it off of email addresses. As it was pointed out to me from the school district who said "We'll do announcements over the schools for you," most kids have six, seven, or eight email addresses and children can vote and express their own opinion. You can vote once a day. There are eight days left, and if we all raced home now, we could all get on and get a vote in now before it is too late.

Mayor Raizk: One other question. Other than just voting, there is no narrative or anything that has to go with it.

Councilman Jaehnig: No narrative. There is just a red box at the bottom of the opening screen when you type in monopolyworldvote.com. In that box, it asks you to vote for a city that isn't on the list. The list includes things like Cairo, Paris, London, New York, and so forth...the standards. There are 68 world cities on that list. As you start typing Wilmington, Ohio, it will actually pull up Wilmington, Ohio, and then you can drop down and click on it so you know you have the right location at that point. Then you express your vote and go from there. You can see how well we are doing because it actually shows the 20 cities right now that have the most votes that are going to make the break. So if we work real hard and we send it out to every friend and relative that we have and everybody gets on their and votes regularly then we could actually when we start to pop up into that top 20 and we would then be on the opportunity to possibly make the Monopoly board. We have nothing to lose. It doesn't cost us a dime.

President Ertel: So voting early and often...

Councilman Jaehnig: Get your kids involved. They'll take care of it for you. I have a copy of the story here and the web site, so if you would please take one and pass it down. Help me out; I would appreciate it very much.

Scott Kirchner: For the record, I believe that would be nonpartisan enough that it would not violate any ethics.

Councilman Jaehnig: Thanks, Scott.

Scott Kirchner: I just wanted to make sure you knew I'm for the Wilmington for Monopoly Campaign.

President Ertel: Does Gary for sure have one?

Councilman Jaehnig: I will make sure that he gets one.

President Ertel: Okay. Very good.

Councilman Jaehnig: Thank you, Mr. President.

President Ertel: Okay, thank you.

Mayor Raizk: Gary can vote.

Councilman Jaehnig: Gary can vote, too.

Mayor Raizk: Gary can get the whole News Journal involved.

President Ertel: Very good. Sounds great.

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 Jaehnig and seconded by McKay to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

COUNCIL

March 6, 2008

Wilmington City Council met on Thursday, March 6, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Wells to approve the minutes of the last regular meeting, February 21, as received.

Motion passed.

Minutes approved as received.

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

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

President Ertel: Okay, committee reports. Asset, Acquisition and Use?

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

President Ertel: Thank you.

Auditor – President Ertel: Mr. Auditor. Seeing none, no report.

Finance Committee – Chairperson Sandy Mongold: No report.

Councilwoman Peterson: Good.

President Ertel: Very nice. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Street Committee – Chairperson Peterson: Well, Item A, you may recall seeing that on the agenda in the past. It will be a little anticlimactic probably, but we anticipate moving that forward at the next council meeting, so I would request that we postpone it. Item B...

President Ertel: I have just one question. Do you have the map available?

Service Director Reinsmith: I do.

Councilwoman Peterson: Good.

Service Director Reinsmith: I just got this updated today. I will pass these around...that way. I think we are scheduled for about March 11, I think, to talk about these.

Councilwoman Peterson: Yes, we are. March 11 at 6 p.m.

Service Director Reinsmith: So, I guess if you guys want to kind of peruse through these. Those were some of my colors and then I also used Sandy's sheet and I gave that to Ernie and he kind of incorporated that in with the plan too. I just question where it is, but I said "Let's go ahead and put these on the drawing, and then we will meet in committees we can discuss them."

Councilwoman Peterson: Thank you.

President Ertel: Very good. Thank you, Cindy.

Councilwoman Peterson: The second item is an ordinance amending the codified ordinances. I would move for the second reading.

A motion was made by Peterson and seconded by Popp to give the second reading only on the ordinance Amending Chapter 351.131 of the Codified Ordinances of the City of Wilmington

Motion passed

Director of Law read ordinance by title only.

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

President Ertel: Thank you. Anything else, Cindy?

Councilwoman Peterson: No, thank you.

President Ertel: Okay. Thank you. Solid Waste/Recycling Committee?

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

President Ertel: Thank you. Wastewater/Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: No report.

President Ertel: Thank you. Judiciary?

Judiciary Committee: Chairman Mark McKay: We do have an item on our Agenda tonight. We would have the first reading on a resolution of understanding between the City of Wilmington Planning Commission and the Clinton County Regional Planning Commission. I would just go on to say that the Mayor has made comments in his State of City about new partnerships, and I think this is a nice step forward for a partnership with Regional Planning. Our Director of Regional Planning, Chris Schock, is here with us tonight. If he has any comments, he could certainly make them at this time.

Chris Schock: Okay. Thank you very much for your consideration of this collaborative agreement. I am confident that it will allow us to be able to continue serving the city as your professional planning staff. You pay dues to the RPC in that regard, and we wish to continue providing those services, and we hope to be of help to the Wilmington Planning Commission as they consider different projects in the city.

Councilman McKay: Thank you.

Mayor Raizk: And by way of before you read it, I believe there is a letter of recommendation from the Planning Commission that it was unanimously approved; so those kinds of rules would apply.

Councilman McKay: I neglected to [inaudible for transcription] Planning Commission. Thank you, Mr. Mayor. Are there any other questions or comments about this business?

A motion was made by McKay and seconded by Peterson to give the first reading only on A Resolution Regarding Coordination Between the City of Wilmington Planning Commission and the Clinton County Regional Planning Commission on Advisory Review of Plans.

Motion passed

Director of Law read resolution by title only.

McKay requested that, in the absence of comments or objections, the second and third reading be on the Agenda for the next meeting.

Councilman McKay: That is all I have.

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

Safety Committee- Chairperson Don Wells: Mr. President, tonight on our agenda it says the second reading; however, I would like to have the second and the third reading. Is there any discussion or comments?

A motion was made by Wells and seconded by Mongold to suspend the rules and give the second and third reading on An Ordinance Amending Ordinance No. 4654 and a Section of Chapter 123 of the Codified Ordinances as Amended, by title only.

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

Director of Law read the ordinance by title only.

A motion was made by Wells and seconded by Peterson to pass the ordinance as read.

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

Motion passed.

President of Council declared Ord. No. 4748 passed as read.

Councilman Wells: That is all we have tonight, Mr. President.

President Ertel: Thank you much. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold: The Holidazzle Committee met last night for the first time, so they are already starting to plan for the Holidazzle Parade. If it can get bigger and better, it is going to be bigger and better, but it was pretty good last year. They have a new contact number this year if anybody would like to make note of it. The contact number is actually the Murphy Theatre, 382-3643, and if you have to mail anything to them, you can mail it to the Murphy Theatre at 50 West Main Street, to Trevor Shoemaker's attention. We do have an email address, but we are not quite sure if it is up and operating at this time. It is info@hometownholidazzle.com. I am not sure where that is, but we are excited. We are going to start meeting once a month for a while, so we are going to try to double the number of months from last year. Thank you.

President Ertel: You're welcome. That sounds just great. Parks and Recreation Committee?

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

President Ertel: Thank you. Service Director?

Service Director- Service Director Larry Reinsmith: Just a weather report. No snow tonight – a little snow in the morning. The latest report that I got this evening that they are talking 3-5 inches by Saturday evening. All trucks are in running order. We have about 175 tons of salt; so hopefully, we can get through without a lot of wintry mix and all of that ice. We can handle the snow with the plows. Right after that last meeting, I told you we had plenty of salt. We had 600 tons and we used 400 tons that weekend – that Friday night. So we were down pretty low. We do have two small shipments in, but everybody around the area is low on salt. Those are slow barges that come up the river. Hopefully, this will be our last big fling of bad weather.

President Ertel: Okay. Thank you. Safety Director?

Safety Director – Nick Babb: No report, Mr. President.

Reports:

A motion was made by Wells and seconded by McKay to approve the Income Tax Receipt Report – February 2008.

Motion passed.

Report accepted as received.

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

Councilman Wells: I would like to make one comment. I would like to thank Mr.Hinman for the utility pole being placed so quickly. He did a very good job.

Dale Hinman, DP&L: Thanks for letting me know.

Mayor Raizk: Could I say one thing real quickly. I neglected to at the time. One of the main aims when we established the Human Resources Department was, number one, to pull us into the 20th and 21st century, as it were, for such a large organization as we. But, Dan Mongold has done an outstanding job. We have now a new Employee Handbook/Policy Guide. It was one of our main goals. We have done that in-house. There are quite a number of new policies. While this is an administrative tool, I do have copies. I have a number of books in my office. If you would like one, you are more than welcome to one. They are in my office. I have them sitting on my desk if you would like. It is a loose-leaf notebook, so as things move forward, we can make appropriate changes. We have a lot of new policies in there updating some things. We have eliminated a lot of urban myths – that is what we call them. There were things that we would say, “Yeah, we’ve always done that,” and then you go to the Policy Manual and find out, well no, that it not what you are supposed to do. We’ve gone through that and all of the employees this week are in the process of receiving them and signing off that they have them, so that we can go forward. Frankly, it is basis for discipline and also policy and procedures. In the case of our bargaining unit employees, we have provided it to them also, even though their contracts are their first policy and procedures. Where sometimes the contracts are silent, these procedures take place. Also in the spirit of me-too, they all have these. So real kudos to Dan for getting this done. It has taken a while, but I think a lot of folks don’t realize what a mammoth job it really was to try to get out and to get updated in all phases. As we say, now that we have it, it is a work in process, so as things change, we will be able to change with them. It is actually our first reprinting and restructuring of the employee manual since 1995. We are very happy with that. If you all would like a copy, you can stop in at the office and pick one up. Thank you.

President Ertel: Thank you.

Mayor Raizk: Hockaday paid me to say all that.

President Ertel: He did. That just took us over the record.

Councilman Jaehnig: Since we are over, I would just like to say, I’m sorry to say we did not make the Monopoly board or the top 20, I should say, wild card cities for selection.

Mayor Raizk: Have they selected yet?

Councilman Jaehnig: Well, they have not selected from the top 20 wild cards, but the top 20 wild cards are listed on the monopolyworldvote.com now. I believe that there was only one American city that did make the top 20 and that was San Francisco. Two Canadian cities made it.

Mayor Raizk: San Francisco – Wilmington...

Councilman Jaehnig: I know. It is hard to even imagine how that selection could have happened. But it was still a fun thing. I was approached by a lot of people in the grocery store and so forth, and they really did have some fun with it. I think that’s a nice thing. On the other side, I am very pleased to say I attended an event this weekend at the college, a fundraiser for the homeless shelter that was in the paper today or yesterday. With this economy and everything that everybody is going through nowadays, it is truly amazing to see the City of Wilmington still continuously stand up and support its citizens that need help. In two concerts that day, they raised over \$3000. That really says

something about this community and made me feel very proud to be a citizen of it.
Thank you, Mr. President.

President Ertel: Certainly. 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 McKay and seconded by Peterson to adjourn.
Motion passed.
Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, March 20, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Wells to approve the minutes of the last regular meeting, March 6, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: At this point, I would like to open a public hearing for rezoning requests from Dennis and Cynthia Whitfield for 0.357 acres located at 564 Prairie Avenue from I1-Industrial to R1-Single Family Residential. Do we have any discussion on that point? Is there anyone in the audience who would like to voice their opinion? Okay.

Service Director Reinsmith: Mr. President, for the record, that house is located on Prairie Avenue right at the entrance going into Prairie Creek Crossing. It is a two-story white house. It is presently a non-conforming use – the same as Councilwoman Peterson’s house where we rezoned that two months back. That was also zoned industrial. This is zoned industrial, and they just want to get it back in compliance with proper zoning.

Mayor Raizk: And it has been recommended by Planning Commission.

President Ertel: Very good. Let’s see. Is there any other discussion on that point? Okay, at this point, we will close the public hearing.

President Ertel: At this point, do I have anyone that would like to offer a motion?

A motion was made by Peterson and seconded by Jaehnig to give the first reading only on the ordinance Changing the Zoning of Real Property Located in the City of Wilmington, Ohio.

Motion passed

Director of Law read ordinance by title only.

President Ertel: Very good. They did request three readings here. At this point, I also have a letter to the same from Cynthia Flowers-Whitfield and whatnot. Do we see any issues as far as taking the second and third reading on this?

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4749 passed as read.

Clerk of Council Laura Curliss arrived at the meeting at 7:45 and joined at this point.

President Ertel: Okay, thank you very much on that. At this time, we would like to open a public hearing, please, for all of the Community Development Block Grant (CDBG) Programs for 2008.

Whitaker Wright: Good evening, ladies and gentlemen. My name is Whitaker Wright. I am with CDC of Ohio, and tonight we're having the first required public hearing for all of the federal programs for fiscal year 2008. These are federal funds that are coming through the Ohio Department of Development. The Ohio Department of Development provides four different types of funding. One group includes housing programs. On the handout that was provided, the applications and programs for which the city is eligible have been highlighted in bold letters. This year, the city will be applying for \$500,000 in May for Community Housing Improvement Program funds. In addition, the state offers funding to Community Action for operating expenses, housing and development. They also work with community development through the Ohio Housing Finance Agency for housing development programs for rental housing. In addition, they provide funds to the Clinton County Homeless Shelter for the Homeless Assistance RFP Program as a competitive application that is due in July and the Hopewell program, which is housing for people with AIDS. However, that is a designated program for the metropolitan areas. In addition, The Department of Development offers the Community Development Program through the Community Development Block Grant. The city will be eligible to apply for approximately \$51,000 in federal funds, with an application that is due on June 27. In addition, they offer the Water and Sanitary Sewer Program, which is a competitive but open cycle grant with a maximum award of about \$600,000.

Whitaker Wright: The state also has several economic development programs: the first being the competitive Downtown Revitalization Program. Wilmington currently has a downtown grant and a Tier I Planning Grant. The Tier I Planning Grant is an open-cycle application. The Downtown Grant, which is funded up to about \$600,000, is due in May of each year. It is a two-tiered application with a series of thresholds required. The state also offers Community Development Programming for counties and cities on an open-cycle basis and the Microenterprise Loan Program. The primary focus of economic development programs is to work on low and moderate employment creation and retention. Additionally, the state has a number of discretionary grant programs that provide funds for targets of opportunity – small, specialized projects, housing projects, or emergency shelter projects. They also offer grants for additional fair housing funds and some limited funds for training and technical assistance.

Whitaker Wright: The ways that the community or a project is eligible – the national objective, which is low and moderate income – is that the area is qualified by census. There is a direct benefit to low and moderate income individuals. It is serving what the federal government calls a limited clientele (those are people with disabilities) or the area that is addressing slum and blight. If you look at the last page of the handout, the map shows the areas of Wilmington that are currently meeting the guidelines for federal LMI areas and also the city's downtown redevelopment area. The city has been focusing in the last several years in putting its CDBG funds into the downtown redevelopment area and currently has a project that we will be discussing this evening for the former Little Giant building. For people who are interested in applying or requesting project funds, there is a project proposal form that the city uses. They would be available through the Mayor's office. What we ask is that the organization or unit of government describes the project, its type, where it is located, why is it necessary, and how does this benefit low and moderate-income households. At this time, I will be happy to take any questions on the eligible programs.

(There were no questions.)

President Ertel: Okay. Thank you very much. Thank you, and at this time, we will close the public hearing on that. Thank you much.

President Ertel: Okay. I would like to now open a public hearing for the Little Giant Project.

Whitaker Wright: This is a specific public hearing for the Little Giant project. In 2006, the city applied for funds to work on the property at 119 N. South Street. As many of you know, the city plans to restore the Little Giant property. The original project called for the building's demolition and the installation of a municipal parking lot, which was identified in the downtown plan as being an important need in the city. The city has since been contacted by the American Diner Museum and has been working with architects on the restoration of the property instead of demolishing it. It is proposing to use its 2006 money along with 2007 funds to carry out the rehabilitation of the property. The final project will create a usable commercial space in the building and will provide some additional municipal parking downtown. Since it is part of the city's downtown redevelopment area, it meets the federal guidelines for benefiting the elimination of slum and blight. At the Ohio Department of Development's recommendation, the city is proposing to amend its fiscal year 2006 grant outcome listed for the property from clearance to public rehabilitation. This way, the outcomes for the 2006 funds will match the outcomes for the 2007 Formula Grant and the 2007 Discretionary Grant. Currently, the project budget total is about \$104,454. The architect's cost estimate is running at about \$98,000 and this evening the city will be discussing passing a resolution to authorize accepting the bids for the project. The architect is completing his plans, and it is our understanding that they will be delivering the plans tomorrow. Any questions from the audience or council?

(There were no questions.)

President Ertel: Okay, thank you very much. At this point, we will close the public hearing.

President Ertel: Okay, that completes my portion of the agenda. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. Actually, Whitaker said everything that I was going to say, so I don't have any other report.

President Ertel: Thank you very much. Asset, Acquisition and Use?

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

President Ertel: Thank you. Mr. Auditor is busy with taxes.

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

President Ertel: Finance Committee?

Finance Committee – Chairperson Sandy Mongold: No report.

President Ertel: No report. Water Committee?

Water Committee – Chairperson Mike Wallace: No report.

President Ertel: Thank you. Streets Committee? Before we get down there, number "C"; that particularly ordinance was unfortunately put on there.

Clerk Laura Curliss: We have an amended agenda. We took "C" off after it was requested.

President Ertel: Oh, you already have done that. I am using the one out of the packet.

Clerk Laura Curliss: I'm sorry.

President Ertel: Good. Very good. So, "C" does not exist. Okay, Streets?

Street Committee – Chairperson Peterson: We have a couple of items. The first one is the third reading on an ordinance amending Chapter 351.131.

A motion was made by Peterson and seconded by Wallace to give the third reading only on the ordinance Amending Chapter 351.131 of the Codified Ordinances of the City of Wilmington.

Motion passed

Director of Law read ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4750 passed as read.

Councilwoman Peterson: The second item is amending the downtown traffic control map. A couple of comments on the map. We are going to need to amend the previous legislation that we had the first reading on. Before we do that, there is a page that we need to make based on our committee meeting. We passed at the committee meeting – on Sugartree, the parking between Walnut Street and North Lincoln Street – we agreed to make that four hour.

Service Director Reinsmith: Is that there along the Eagles?

Councilwoman Peterson: Yes. So, I would like to amend the current map to reflect that. I also wanted to kind of get a sense from Council: We can have another committee meeting, but we will have only one more reading tonight, and then we will have the third reading at the next council meeting. As we look at this, our goal was two-hour in the business core and then four-hour in the other areas. Once we got the changes made, there are a couple of areas that I think we may need to work on. Depending on what Council thinks, I would like to consider making those changes tonight. On Mulberry Street and on Main Street...the area....making that four hours.

Councilman Jaehnig: The southwest corner.

Councilwoman Peterson: Thank you. Yes.

Mayor Raizk: Where again, Cindy? I'm sorry.

Councilman Jaehnig: The very southwest corner.

President Ertel: Of Mulberry and Main?

Councilman Wallace: On Mulberry Street between Main and Sugartree? All four-hour?

Councilwoman Peterson: All four hours. It is going to make it very consistent...

Mayor Raizk: And that would be on the west side of the street?

Councilwoman Peterson: On the west side and then on Main Street on both sides.

Mayor Raizk: On Main Street?

Councilman McKay: Main Street.

Councilman Wallace: That would be in front of Zeigler Pharmacy and...

Councilman McKay: Oh, west of Mulberry.

President Ertel: Out there.

Councilman Jaehnig: Well, you've got Zeigler's and you've got the bank there. I'm not sure that...

Councilwoman Peterson: Okay, stay on that one?

[Further inaudible discussion]

Councilwoman Peterson: Just to get a sense of where....okay...So, what would you think about making four hours, though, on the other side of Mulberry?

Councilman McKay: To me, that makes sense.

Councilwoman Peterson: Okay, let's go ahead and make that...

Councilman McKay: It would make it more consistent.

Councilwoman Peterson: Yes. It makes it consistent.

Mayor Raizk: Opposite of where it is on the other side.

Councilwoman Peterson: Yes. Then it would be four hours...

Mayor Raizk: It is four hours on the east side and now it would be four hours on the west side.

[Inaudible for Transcription]

Mayor Raizk: What did you say?

Multiple Speakers: It changes from blue to red.

Mayor Raizk: That will work.

Councilwoman Peterson: Then, we would go...

Mayor Raizk: But, leave everything on Main alone.

Councilwoman Peterson: We would leave everything on Main alone.

Mayor Raizk: Thank you.

Councilman McKay: Madame Chairperson.

Councilwoman Peterson: Yes.

Councilman McKay: The Chief was pointing out another area that we might want to consider. On North Walnut, between Locust and the alley, that would be [inaudible for transcription due to background] That is two-hour now and it looks like it might be more appropriate to be four-hour.

Mayor Raizk: Clear up here?

Councilman McKay: Way up on the north...

Mayor Raizk: Right there. There are about four spaces there. Is that what we are looking at?

Councilwoman Mongold: Up there, you have a business.

Mayor Raizk: There is a beauty shop there.

Councilman Wallace: But that is one of the places that we have a problem.

(Couldn't tell who the speaker was): There is always a place to park.

(Couldn't tell who the speaker was): They usually park around back.

(Unsure who the speaker was): Yes, but they park around back. There is generally a lot of parking up in there that is not...

Councilman McKay: I would make one other suggestion first. I have a question anyway. The area in front of the Murphy Theatre, which of course is a fire lane. A lot of people use it as a drop-off, etc. I know people get tickets there periodically and that is probably correct. I am wondering if we could consider a 15-minute space back toward Mulberry Street. That would be in front of what would be the Murphy Theatre Office. That would cause that area, hopefully, to turn over more often. It would allow people a place to park doing business there throughout the day.

Councilwoman Peterson: We have already...

Councilman Wells: Is that the first spot past the fire lane. Is that what you're...

Councilman McKay: The first spot to the west side of the fire lane.

Councilwoman Peterson: Okay, we'll take that one back to committee.

Councilman McKay: It has been talked about in other areas, and for some reason, it didn't get brought up in your regular meeting. I apologize for that.

Councilman Wells: These hours would be in force from 9:00 to 5:00. Is that correct?

Councilwoman Peterson: Yes. From 9:00 to 5:00. And, it will be clearly posted on the signs, where it says either two-hour or four-hour. It will outline the hours of enforcement. There has been some confusion with the public on the signage.

Councilwoman Popp: That would be Monday through Friday?

Councilman Wallace: I noticed the sign coming in today when I was coming here. It says two-hour parking, except Saturday and Sunday. Would that mean no parking or...

[Laughter]

Mayor Raizk: We're going to try to get that...

Councilwoman Peterson: We're going to get consistent messages out. Consistent and accurate messaging.

Geoffrey Phillips: Those who attend the Quaker Church are okay?

[Inaudible for transcription]

Mayor Raizk: What did you say?

Geoffrey Phillips: The Quakers don't pay on Sunday.

[Laughter]

Law Director Kathryn Hapner: Yes, can he tell you on Sunday?

Councilwoman Peterson: Just to kind of summarize.

Mayor Raizk: I think this is an assault on First Amendment Rights.

Councilwoman Peterson: We're turning red to blue and ... Okay, just to summarize, during our committee meeting, we had decided. . .

Mayor Raizk: I'm really in favor of turning red to blue.

Councilwoman Peterson: Or something like that. Making the area on Sugartree 4-hour between Walnut Street and North Lincoln Street and then Mulberry Street between Main Street and Sugartree, four-hours. All four hours.

Service Director Reinsmith: And a 15-minute drop-off.

Councilwoman Peterson: Oh, there was also...

Councilman Wallace: No, that is going to committee?

President Ertel: Which one is?

Multiple Speakers: The 15-minute drop-off.

Mayor Raizk: You don't want to put the 15-minute drop-off in at this point then.

Councilwoman Peterson: No, there's... There are four spaces on Walnut Street, the northern most parking spaces, those will be four hours as well.

[Inaudible discussions]

President Ertel: Having said that, you want to make those changes to the second reading?

A motion was made by Peterson and seconded by Popp to amend the previous legislation as presented.

Motion passed

A motion was made by Peterson and seconded by McKay to give the second reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File, as amended.

Motion passed

Director of Law read ordinance by title only.

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

Councilwoman Peterson: I have one other comment with regard to this. I am going to be at a family commitment during the next council meeting, so I just wanted to express my appreciation to the public, to the property owners, to the business owners, my colleagues on Council, and certainly to the Police Department as well, as we sort through this. I think it has been a collaborative effort, with satisfactory results.

President Ertel: Okay. Thank you, Cindy. Very good. Solid Waste and Recycling Committee?

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. Judicial?

Judiciary Committee: Chairman Mark McKay: We do have two items tonight, Mr. President. The first item is the second and third readings on the resolution regarding the agreement between the Wilmington Planning Commission and the Clinton County Regional Planning Commission. Are there any other further comments or questions with regard to that?

A motion was made by McKay and seconded by Popp to suspend the rules and give the second and third reading on the resolution, Regarding Coordination Between the City of Wilmington Planning Commission and the Clinton County Regional Planning Commission on Advisory Review of Plan, by title only.

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2067 passed as read.

Councilman McKay: The second item has already been discussed at length by Whitaker Wright. It has to do with the advertising bids for the restoration of the Little Giant and contracting and declaring an emergency so that things can get started as early in the season as possible. Are there any further questions or comments?

A motion was made by McKay and seconded by Peterson to give the first reading only on the ordinance Authorizing the Advertising for Bids for the Restoration of the Little Giant Diner and for the Contracting of Same and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

Councilman McKay: Are we okay with that language?

Clerk Laura Curliss: Yes.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4751 passed as read.

Councilman McKay: That is all I have, Mr. President.

President Ertel: Okay. Safety Committee, please?

Safety Committee- Chairperson Don Wells: Mr. President. I have one item on the Agenda tonight. Three readings on an ordinance amending Ordinance No. 4571 and various sections of Chapter 125 of the Codified Ordinances. Are there any questions or discussion?

A motion was made by Wells and seconded by Peterson to give the first reading only on the ordinance Amending Ordinance No. 4571 and Various Sections of Chapter 125 of the Codified Ordinances.

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

A motion was made by Wells and seconded by Peterson to pass the ordinance as read.

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

Motion passed.

President of Council declared Ord. No. 4752 passed as read.

Councilman Wells: That is all, Mr. President.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold – No report.

President Ertel: Thank you. Parks and Recreation?

Parks and Recreation Committee - Convener Mike Wallace – I have one item on the Agenda this evening, Mr. President.

President Ertel: Excellent.

Councilman Wallace: As everybody is aware, we are in the middle of the bid process to get our tennis courts finalized and dug and made and all of those good things. Part of the agreement that we had made with the City Schools was the fact that the difference in dollars between the estimate of bid and the actual cost of the project was made up by the capital campaign that the schools were putting on. Therefore, we need to accept this gift of this money from the City Schools to make up that difference so that we have in-house, in-hand literally the money to do this project. If there are no questions...?

A motion was made by Wallace and seconded by Jaehnig to give the first reading only on the resolution Accepting a Gift of \$133,179 from the Wilmington City Schools Foundation for the Construction of Tennis Courts.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2068 passed as read.

Councilman Wallace: That is all I have, Mr. President.

President Ertel: Thank you. At this point, we would like to turn to the Service Director. Mr. Service Director?

Service Director- Service Director Larry Reinsmith: No snow.

President Ertel: No snow. Excellent.

Service Director Reinsmith: I will say something, though, about snow. As you know, we recently had our little blizzard of '08. Almost blizzard – whatever – yeah. You know, over the last several years, we have bought several pieces of the equipment for the different departments in the city: sewer, water, landfill. We require all of them to be snowplow ready. We get all of that equipment for the different departments, and so when we got the word of the oncoming blizzard, we had all of our forces ready to go Friday morning. We had people from the landfill, people from the water plant, people from the sewer plant, and people from the parks department all working through the weekend, as well as the street department. I think they did a bang-up job. They had the streets in really good shape. Saturday morning, it was pretty nasty, but they overcame that. We had school on time on Monday morning. I just want to compliment them on a good job they did.

Councilman Wallace: How did we do on salt?

Service Director Reinsmith: You know, we didn't have any salt. We had just a little bit of salt, and we planned it out that we were not going to use any salt on Friday and Saturday. We were going to let all of the snowing and blowing get over with. Then

Sunday, we hit it with what we had. That did a real good job when that sun came out on Sunday, and then on Monday, we got two loads of salt in.

[Laughter]

Service Director Reinsmith: So, we're in pretty good shape for the next little snowfall. Timing was everything for us. Water is a different story, and Nick will probably talk about water. That is all I have, Mr. President.

President Ertel: Thank you very much. Okay, Safety Director?

Safety Director – Nick Babb: Thank you, Mr. President. I think you all received notice from the Ohio Committee of Severe Weather Awareness that they are going to have the Statewide Annual Tornado Drill next Wednesday, March 26, at 9:50 a.m. We will be participating in that. We certainly have had our share of severe weather, going from a blizzard to torrential floods yesterday. Yesterday morning, the Fire Department had a call to the Clarksville area. The time of call was around 3 a.m. Chief Mason and several firefighters responded with our boat and evacuated three families from their homes that were surrounded by water.

Safety Director Nick Babb: About the same time, we had a call, Assistant Chief Wiswell and crew went to Maple Grove campgrounds. I also responded to that. That was a real tragedy. Many of us have been out there several times in previous years and are well aware of the little creek that is there. Well, that little creek went from being about 10 foot wide to about 50 yards wide. It was flowing so fast that you could barely talk to the person standing next to you. It was just unbelievable. You had to see it to believe it. Unfortunately, a young lady attempted to cross that. She lived there. I am sure she has traveled that roadway many times every day and decided to go across. She either drove off the side of the road, or I believe, the force of the water forced her car off of the road, because the car turned around. Then, she decided to get out of the car. The force of the water actually caused her death. They did an autopsy. I tell you that because the force of water in flash floods is just tremendous. Although it was initially thought that she died of hypothermia, she died of internal injuries caused by the force of the water. It was just unbelievable. You just had to see it. Our guys did a great job. As soon as the lady was brought across with the tractor, they immediately commenced CPR and transported her to the hospital, where they also attempted to revive her but it was not successful. The lesson there for all of us – we all have probably been guilty of trying this – is just not to try it. Had she stayed with her car...you saw a picture of the car in the newspaper today...the water didn't get...it was right between the parking lights and the headlights. If she had gotten on the roof of the car, we could have rescued her, but it didn't happen.

Safety Director Nick Babb: We also had a call to assist Dayton Power & Light of all people. We had to take our 100-foot tower out on Todds Fork Road. They had a real power emergency out there, and we had Dayton Power & Light people in our tower. They were successful in making the necessary repair that was going on. We had two more calls from citizens with high water in their basements, and we went in and shut the power off to their homes so that they could begin to pump the water out. It was not a good day yesterday for the Fire Department. I know I have taken some flack for some of the weird requests we make at Safety for boats, but I am sure that there are three families that certainly appreciate the City Council buying a boat – so we appreciate it. That is all I have.

President Ertel: Okay. Thank you.

Reports:

A motion was made by Wells and seconded by Peterson to approve the Auditor Treasurer Report – February 2008, as received.

Motion passed.

Reports accepted as received.

President Ertel: Too, I would like to call everybody's attention to the Roundup Days that are coming – the Recycling Roundup. Just following it, the Off-the-Rim Collection

is on May 3, Appliance Collection Drive, Saturday May 17 and July 19 in Blanchester, and then finally on August 2, the Engineer's Office Motor Oil Recycling, and these are very, very important. If you would, please note those.

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

Jim Hartman: I'm Jim Hartman and I'm with the Continental Financial Insurance right in the building that the downtown Wilmington owns. I am concerned about the parking lot right behind us. That is all four-hour parking in there. That lot does service the tanning bed company, which is about they are in 20 minutes and out 20 minutes. If that is four hours, it could really hinder their business and probably ours too.

Councilman Jaehnig: On our map, we are showing it as two.

Councilman Wallace: We are showing it is as two. It should be blue.

Jim Hartman: Okay, I'm sorry on that. I was thinking it was four. You were talking about having reserved spots over in the Catholic lot at the last meeting, I think. Could these spots be opened up down here...these three that are along the walk...actually, there are four there...for reserved parking?

Clerk Laura Curliss: Do you mean for permitted parking?

Jim Hartman: Permitted parking.

Councilman Wells: Where at?

Councilwoman Peterson: I'm sorry...

Jim Hartman: It is showing three spots along that wall by the tanning bed place.

Clerk Laura Curliss: By the tanning bed place.

Jim Hartman: There are actually four.

Clerk Laura Curliss: On the south wall of the tanning bed place.

Jim Hartman: There are at least two or three people I know who would like to put in for it.

[Inaudible discussion regarding the location]

Clerk Laura Curliss: The south wall of the tanning bed place.

Councilwoman Peterson: Permit parking along there...

Jim Hartman: Along the wall where the drive-in bank was.

President Ertel: And you would like those to go to permit parking, correct?

Jim Hartman: Yes.

Mayor Raizk: But then the others would still be two-hour.

Jim Hartman: Yes, two-hour would be okay.

Mayor Raizk: The blue is four now. We changed our colors so that it would be more distinguishing. We used to have two colors of blue, and you couldn't tell the difference between the two.

Councilwoman Peterson: My colleagues, it seems like that is a pretty positive reaction. I think Mike [inaudible for transcription] at the next reading at the next meeting. I think that is a great idea, because it is the farthest from the permit parking that we have available and that would make a lot of sense.

Jim Hartman: Also, another suggestion while I'm up here. Those diagonals ones are awful wide. They could be narrowed down some and more spots be put in there.

Clerk Laura Curliss: On the south side of the courthouse?

Jim Hartman: These, right here.

Clerk Laura Curliss: On the south side of the courthouse.

Jim Hartman: No, no, no. On the south side here.

Clerk Laura Curliss: Oh, in the same area.

Councilman Wallace: Under the roof.

Jim Hartman: Under the roof.

Councilwoman Peterson: Okay, I will defer it to the Service Director. Larry, would you be willing to take a look at those before the next council meeting?

Service Director Reinsmith: Yes, we'll look at them. We'll talk about it in committee, won't we. The same as these other items.

Jim Hartman: If they were narrowed down to about normal width, I think you could probably get one or two more spots in there.

Councilwoman Peterson: I have not, just to clarify, I had not planned to have another council meeting, though, before the next reading.

Service Director: Well, you were going to discuss that parking in 15-minute drop-off.

Councilwoman Peterson: Okay, then we'll go ahead and have another meeting.

[Inaudible discussion]

Councilwoman Peterson: Okay, we'll go ahead and get that scheduled. Thank you very much.

President Ertel: Very good.

Councilwoman Peterson: Thank you.

President Ertel: Are there any ideas when that parking meeting is going to be at this point?

[Laughter and discussion on scheduling]

Councilwoman Peterson: What about the 31st of March.

Clerk Laura Curliss: You have Safety at 4:00 and Water at 5:00, so I guess you could do it at 6:00 if you wanted to triple play.

Councilwoman Peterson: Here's the choice. We can do two things. Let's do April 1 at 6:00.

Clerk Laura Curliss: Yes. There is the Blue and White Tree Lighting Ceremony at the Courthouse at 5:30, so it might work out pretty well. That is for child abuse.

Councilwoman Peterson: So, will we be done lighting it by 6:00?

Clerk Laura Curliss: Yes, 6:00.

Councilwoman Peterson: Okay, let's go ahead and do 6:00 on April 1.

President Ertel: Okay. Are we good on that?

Councilwoman Peterson: We are. Thank you very much. Thank you.

Councilman Wells: When is the meeting going to be?

Law Director Hapner: April 1.

Clerk Laura Curliss: April 1 at 6 p.m.

[Banter]

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

President Ertel: Yes, Leilani.

Councilwoman Popp: I would like to mention another recycling event that is part of the 2008 Earth Day Celebration in Clinton County. That will be April 19 from 9:00 to noon at Southern State College. There is a free computer and electronic recycling program. Drop off those worn or broken computers, fax machines, monitors, radios and cell phones for proper recycling. No TVs or appliances. So, if you would help spread the word on that, we all probably have some sort of electronic that we don't want in the landfill that we have had in our garage, and here is the opportunity to do the right thing with it.

Mayor Raizk: What day is that again, Leilani.

Councilman Jaehnig: The 19th.

Mayor Raizk: Of?

Councilwoman Popp: Of April.

President Ertel: I think that is superb, because right now we almost never have...

Councilwoman Popp: It is 9:00 to noon at Southern State Community College Parking lot.

President Ertel: Very good.

Paul Hunter: That needs big-time advertisement.

Councilwoman Popp: There are blue flyers. I know there are some in the bookstore. It tells all of the events for that day.

Mayor Raizk: Put that on the front page, Gary. That needs to be on the front page.

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 Peterson and seconded by Jaehnig to adjourn.
Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, April 3, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

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

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Wallace to approve the minutes of the last regular meeting, March 20, 2008, as received.
Motion passed.
Minutes approved as received.

President of Council – Fred Ertel: We were to have Debbie Stamper here tonight. Unfortunately, Debbie has become quite ill, so we shall postpone that to a later date at this point. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. I asked a little earlier if we might be able to, and with your permission, move one of our items, which was under the Safety Committee, under Don, because we have with us Gary Brannon this evening. Don, if you would like to make your motion on the resolution.

Councilman Wells: Thank you, Mr. Mayor. Tonight, we have three readings on a resolution Regarding a Retiring Police Officer's Service Weapon and Badge, Providing for a Release of Claims, and Honoring Said Officer with the Presentation of the Same, and Declaring an Emergency.

A motion was made by Wells and seconded by McKay to give the first reading only on a resolution Regarding a Retiring Police Officer's Service Weapon and Badge, Providing for a Release of Claims, and Honoring Said Officer with the Presentation of the Same, and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.
Director of Law read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.
Motion passed.

President of Council declared Res. No. 2069 passed as read.

Mayor Raizk: Thanks, Don. The sum total of this – we're having this resolution – is because that one of our own of longstanding and who has given outstanding service to the City of Wilmington for almost 35 years is retiring tomorrow, April 4. I think that is right, isn't it Spark? So we wanted the resolution that you just passed, which authorizes him to keep his weapon and badge. I also have a plaque. If you would like to come forward?

Detective Gary Brannon: I've never been good up front.

Mayor Raizk: That's all right, come on.

President Ertel: You've usually been under cover, right?

Detective Gary Brannon: I didn't wear a tie tonight.

Mayor Raizk: No, you look good. You're looking good. Gary – it's hard for me to call him Gary; we've called him Sparky for so long. You know, he started out as a dispatcher way back when. I would like to read this plaque and let Gary take a picture of this. In appreciation to Gary Brannon, Chief Detective, Police Department, for his dedicated and loyal service to the city and the citizens of Wilmington, March 14, 1973, to April 4, 2008.

[Applause]

Mayor Raizk: We got it done. I'm taking this back.

Detective Gary Brannon: Do I have to stay?

Mayor Raizk: No. You don't have to stay, but I'm going to re-present it to you tomorrow night – with the rest of your stuff.

Detective Gary Brannon: There is a party tomorrow night at 5:00.

Mayor Raizk: At the Elks.

Detective Gary Brannon: I will drink all of the beer you want to buy.

[Laughter]

Mayor Raizk: That's right. You are encouraged to buy rounds – that's for sure. Sparky, I don't know how we can thank you. The citizens owe you a great debt. You certainly have been an exemplary employee.

(Bantering.)

Councilman McKay: Mr. Mayor, if you're going to do this again tomorrow night, is that kind of like a reconsideration.

Mayor Raizk: That is reconsideration. We're going to have to tell Hock that we did that. But we would like to present it again in front of Gary's family and friends and so forth. Anyway, that is all I had...other than to say...and you all have at your desk an announcement there of Sergeant Miller's retiring. We will be doing something similar at our next council meeting for Bill. Sparky, it has been a great ride. You know, I didn't even think you were still going to do it, even when you gave me your letter. In fact, I didn't even turn your letter in. I just kept it for a while just thinking, "Well, maybe he won't do it." But we sure appreciate it; the citizens appreciate it, and you have certainly left this department much better than when you started here. Your professionalism and the things that you have done with the Detective Bureau have been outstanding and we thank you. I don't know how we could say it any better. So I'm looking forward to tomorrow evening.

Detective Gary Brannon: Me, too.

[Laughter]

Mayor Raizk: Okay. Mr. President, that is all I have this evening.

President Ertel: Okay. Thank you very much. Assets, Acquisition and Use?

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

President Ertel: Okay. The Auditor is busy with taxes, I bet.

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

President Ertel: Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have several items. The first item is an ordinance Making Supplemental Appropriations. We have just one item.

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

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4753 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance Making Miscellaneous Transfers dealing with the Municipal Court.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4754 passed as read.

Councilwoman Mongold: The third item tonight is a resolution Authorizing Payment of Expenses Incurred in the Prior Fiscal Year. This is what we call the “Then and now.”

A motion was made by Mongold and seconded by Popp to give the first reading only on A Resolution Authorizing Payment of Expenses Incurred in Prior Fiscal Year.

Motion passed

Director of Law read resolution by title only.

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2070 passed as read.

President Ertel: Thank you. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Street Committee – In the absence of Chairperson Peterson, Councilman Wallace: I guess I will speak for Councilwoman Peterson. You all have the map in front of you. At the last committee meeting, we amended the amended map. My compliments to Mr. Reinsmith for getting this caught up to date. I think we’re up to snuff on it finally. If you will notice, the committee thought that we needed a 15-minute parking spot on Main

Street, so we put it to where it is easy access, which is the fire lane near the front of the Murphy. That was one of the items we changed. Another item we changed was in the parking lot at the corner of Sugartree and South Street. We put some permit parking in that side of town for some of the employees in that part of town. Those are the two things we have put out. I think our first order of business is to amend the map according to what you see in front of you this evening. If there are no questions, I would like to move that we accept the map as presented.

Service Director Reinsmith: I will say that there were a couple of questions asked: one having to do with those two handicapped spaces by the courthouse. They asked about that handicapped ramp. That is located right between the two handicapped spaces. I talked to Rich and I said, "Rich, can a wheelchair get through there." He goes, "Yeah, if the car in the front space parks up and then the guy in the back parks back, there will be room." So we may have to look at the spacing on that. Also, down there at the same location where we put the permit parking, a question came up about the angle parking the width of the spaces. It looks like we can probably re-stripe that once the weather turns. We will probably pick up at least one more space down there too.

Councilman Jaehnig: There is a citizen in attendance tonight who would like to speak on this subject.

President Ertel: Okay, very good. Name and address for the record, please.

Jim Hartman: Jim Hartman, 530 Forest Lake Drive, Wilmington. One thing that I was concerned with is we're having all of these nice places to park in, but I pull in to park in a spot in the morning, I have to leave, and then somebody takes my spot and I have to drive all over town trying to find another spot. I think a good thing to do would be to assign numbers to the parking spots and issue out that number to whoever reserves one.

Councilwoman Mongold: Are you talking about the permit places?

Jim Hartman: Yes, permit parking.

Councilman Jaehnig: He is a business owner downtown.

[Comments inaudible for transcription]

Councilman McKay: Part of the reason that we decided not to do that, Jim, is that we will probably have a few additional assigned to additional spaces, because obviously everybody is not going to be parking in permit parking at one time. It allows you to expand a little bit. Parking spaces are at a premium, so... I think in your case it will probably work out just fine.

Jim Hartman: Well, like in our space down there. We have three or four spots at the most. I know who is going to be the first ones over there are the people from the courthouse. They'll have a permit and they'll be the first ones over there because they go to work at 8:00 in the morning. I thought he was going to be here tonight – Gosney. Gosney and CL Photography and I for sure – we would like to be able to reserve those spots down there.

Unknown male speaker: Why can't you color code the permit?

Councilman Jaehnig: I know the administration is working on the permit and how they are going to proceed, you know, with that. I don't know what their ideas or actions or how they are presenting, but I'm sure that somebody in the Administration Office will be happy to look into that further.

Safety Director Nick Babb: I'm not sure if we have ever had anybody from the courthouse apply for one of those.

Jim Hartman: Well, actually, when we leased the building down there, the person we were working through said that he could get two reserved spots for our business down

there. Well, then we found out that that belongs to the city and that he did not have any right to tell us that.

Mayor Raizk: Okay. I think the permit should take care of your problem, because by making it a permit space, if you don't have a permit it would be enforceable.

Jim Hartman: But, like I say...

Mayor Raizk: It won't take long to do one ticket probably....

Jim Hartman: Well, you know, like the courthouse people, if we pull out, they could pull in. They have a permit.

Paul Hunter: There are other people with permits.

Mayor Raizk: I understand that, Paul. I guess what I'm saying is I don't think we have anybody over there buying permits. I think you'll be okay.

Councilman McKay: This will be a work in process. I think we need to step back and see how this works, and then if there continue to be problems we can revisit them.

Mayor Raizk: Yes.

Jim Hartman: Thank you.

President Ertel: Okay. Thank you, Jim. I have a motion to amend the map from previous discussions.

A motion was made by Wallace and seconded by McKay amend the map as presented.
Motion passed.
Map amended as presented.

A motion was made by Wallace and seconded by McKay to give the third reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File.
Motion passed.
Director of Law read ordinance by title only.

President Ertel: Very good. Now I would like to have one for passage, please.

Councilman Wallace: Do we need to do that too?

President Ertel: Oh, sure.

[Laughter]

Councilman Wallace: Let's think about this. Councilwoman Peterson said she wasn't going to come back if we didn't get this thing done.

[Laughter]

President Ertel: There we go.

A motion was made by Wallace and seconded by McKay to pass the ordinance as read.
Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.
Motion passed.
President of Council declared Ord. No. 4755 passed as read.

President Ertel: It is accepted as presented, amended and finally accepted. Very good. Anything else?

Councilman McKay: I have said it before, but I will say it at his final juncture. I applaud Cindy for her hard work on this.

President Ertel: Thank you, Mark. Okay, Solid Waste and 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?

Judiciary Committee: Chairman Mark McKay: Yes. We have an ordinance that is pretty much a housekeeping measure that we do every year. It involves codifying the ordinances that have been passed through the year. Are there any questions regarding the ordinance?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Approving the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of Wilmington, Ohio; and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

Councilman McKay: Yes. This ordinance is declared an emergency necessary for the preservation of public peace, health and safety of the Municipality and its inhabitants for the reason that there exists a necessity for the adoption of new Traffic and General Offenses Code amendments, so as to avoid conflict with general State law, and shall be effective on the effective date of this ordinance.

With that in mind, a motion was made by McKay and seconded by Popp to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Director of Law read the ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Ord. No. 4756 passed as read.

President Ertel: Anything else?

Councilman McKay: That is all I have, Mr. President.

President Ertel: Was that an effort at a filibuster?

Councilman McKay: No, just explaining why we were giving second and third readings on that.

President Ertel: I agree.

Councilman McKay: Sometimes people have questions about that...

President Ertel: Sure.

Councilman McKay: So I thought it would be a good idea to put that in.

President Ertel: It's verbiage we don't always hear. Okay. Safety Committee? Don, do you have anything else?

Safety Committee: Chairperson Don Wells: Nothing additional, Mr. President.

President Ertel: Okay. Thank you. Downtown Revitalization?

Downtown Revitalization Committee - Convener Sandy Mongold – No report.

President Ertel: Okay. Parks and Recreation?

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

President Ertel: Thank you. Service Director?

Service Director- Service Director Larry Reinsmith: No report, but a question. I did meet with the Streets Superintendent this morning, and we were talking about the signs that were going to be part of this parking. I told him to go ahead draft the signs we want, because we do want them, I think, to read a little different than they do now. I know we want to talk about parking 8:00 to 5:00 Monday through Friday type thing. Those are going to be a separate sign. We've talked about the logo we want to put above the sign. Who is designing that sign?

Councilman McKay: I think that is still in its last stages, but it has not been completed yet.

Service Director Reinsmith: But they are working on it? That's Downtown CIC?

Councilman McKay: I think it will be primarily the Main Street Group.

Service Director Reinsmith: I know Denny wants to go ahead and get.... This is a 30-day waiting period anyway and it will take that long to get those signs in, but as soon as we get the other ones.

Councilman McKay: That can be done separately.

Service Director Reinsmith: Yeah, I mean, because, you know, we are going to install that as a separate sign.

Councilman McKay: I know that was a request that Steve Brown had from Main Street Group. I think it makes sense for the downtown area. It will give it a little nicer appearance.

Service Director Reinsmith: Okay. That's all, Mr. President.

President Ertel: Okay. Thank you. How are we doing on salt?

Service Director Reinsmith: We have quite a bit right now. Hopefully, we won't need it for a while.

[General banter]

President Ertel: Okay, Safety Director.

Safety Director – Nick Babb: Gary is gone, but I have already congratulated him two or three times. This week we have lost two officers that have served the City, if I have added it up correctly, about 62 years. These two gentlemen are going to be tough to replace. We did have a police test last Saturday. We had 38, I believe, who took the test. We haven't gotten the results back yet, so we will be moving forward on that. A week ago Wednesday, we did join with other communities in the State of Ohio and had the statewide tornado test. I don't subscribe to the paper, but I was told it was not in our paper for some reason. We did get a lot of calls at dispatch. I don't know if the sheriff's department did or not. It was a successful test; everything worked. This Saturday, being the first Saturday of the month, we will also be testing again, weather permitting, which it is supposed to be a good day on Saturday. I bring this to your attention because I happened to watch the weather channel last night and so far this year they have had 45% more tornados this year in the southeast than they had at the same time last year. We really need to take this seriously. We only set our sirens off if there is a warning, unlike Hamilton County and other counties that set them off all of the time. We do take this

serious. Chief Hatten and I have met with folks out at DHL and ABX last week. We have a siren ordered for that area, since it is in the city now, and it should be installed by the middle of May. Are there any questions for me? Thank you.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by Wallace to approve the Income Tax Report – March 2008.

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. If you would, please, come to the podium and state your name and address for the record please. Yes, Sandy.

Councilwoman Mongold: I have one thing. On April 24, the Wilmington Republican Women’s Club is going to hold a session called “Republican 101; Back to the Basics.” It is going to be held at 6:30 p.m. at the Wilmington Savings Senior Center. We are going to have Dave Daniels and Kevin DeWine possibly. We invite everyone to come. If you would like to make a reservation, you can call me or Kathryn. Thank you.

President Ertel: Very good. Any other comments or questions at this point?

Seeing no one else who wished to speak, President Ertel asked for a motion to adjourn.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, April 17, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

President Ertel: We would certainly like to welcome all of you to this meeting. We have a packed house tonight. This is great. We usually don't have quite this many; I'm sure it is because we have so many exciting agenda items here.

A motion was made by Wells and seconded by Peterson to approve the minutes of the last regular meeting, April 3, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: At this point, I would like to open a public hearing on the 2008 Community Housing Improvement Program. Whitaker?

Whitaker Wright of CDC of Ohio: Good evening, ladies and gentlemen. This is a public hearing on the 2008 Community Housing Improvement Program application that the City of Wilmington will be submitting to the state on May 2. The city is going to apply for \$522,000 to address housing conditions and problems in the City of Wilmington for people who are low and moderate income. There is a handout (if you didn't get one) on the table. The allocations will be as follows: The City will allocate \$125,000 to help up to 13 households fix one or two problems under the activity that is called home repair. They will allocate \$190,000 to help up to five households bring their houses up to the State's rehabilitation standards. This is a complete overhaul of an individual house. It will allocate \$40,000 to assist Habitat for Humanity. They are currently negotiating to purchase some lots on the south part of town, and they will build two houses in the city. In addition, the City is proposing to spend up to \$78,000 to help two households purchase an existing home in the City, with down-payment assistance up to \$10,000 and up to about \$28,000 to help them make the house as new as possible. Finally, the City is going to ask the State for \$27,000 to remove two structures that are vacant and determined by the City under the Housing Maintenance Code to be unfit for human habitation. In order to do that, the City's Housing Advisory Committee identified an area at the southeast part of town east of South Street, that's south of Sugartree, just to the west of Clark down to Creekside Drive – that is going to be the target area where Habitat will build their new houses and the City will remove two vacant lots. I open the floor for comment.

Councilman Jaehnig: The proposal that you're making – these different units or houses and so forth – have they all been already identified?

Whitaker Wright: No. No.

Mayor Raizk: If I may speak... For the first time in the CHIP program, we are allowed to do demolition. We have never been allowed to do that before. That money has never been allowed to do for demolition. There is going to be some new housing construction. It is kind of a one for one trade off. They are now allowing some of the money to be used for demolition, as long as it is within a target area. So this money, while we have some properties that are targeted for demolition outside of this area, since the new constructions are going to be basically within that target area, it is a trade-off, and we are allowed to do that. This is great news, and as those of you have worked on this before know, we have never been able to...the grant monies have never been able to be used for the demolition of condemned properties.

Councilman Jaehnig: Now, is the new construction then on the same sites as the demolition?

Mayor Raizk: No, not necessarily, but within the same target area.

Councilman Jaehnig: Okay.

Mayor Raizk: That is why there is a defined target area. It doesn't have to necessarily on the same site, but it has to be within the area.

Councilwoman Peterson: Just for clarifying – all of the home repairs are in the same area as well?

Mayor Raizk: Did I explain that correctly?

Whitaker Wright: Yes.

Mayor Raizk: Pardon?

Councilman Jaehnig: All of the home repairs are in the same area?

Whitaker Wright: Yes. We are going to try to get about \$100,000 worth of housing repair rehabilitation in that area.

Mayor Raizk: Yes.

Councilman Jaehnig: As far as the demolition, is that something that is not already determined also, as far as what sites?

Mayor Raizk: Not necessarily.

Whitaker Wright: The City has a Maintenance Code, and Ernie Blankenship identifies properties on a regular basis. Rather than saying, "Well, we're going to knock down two units a year from now," it seemed more flexible to allow the City to use its Maintenance Code to say "We have identified these units and gone through the proper process."

Councilman Jaehnig: All of the legal procedures.

Whitaker Wright: Right. All of the legal procedures first.

Councilman Wells: Can you explain what that process is? How does that work?

Whitaker Wright: Well, the City's Maintenance Code spells it out in the ordinance. They have, I think it's, eight or 10 steps that have to be followed prior to the City being allowed to determine that a house is unfit for human habitation and can be condemned.

Mayor Raizk: We actually have several properties already lined up, and some of them are in this target area.

Law Director Hapner: Don, we did this a couple of years ago when Greg Bell was still here, but we had to go through all of the steps to get... I mean, it is a fairly lengthy process. It is not something that happens overnight.

Councilman Wells: My main concern in this is one of those properties is Scott Kirchner's property, if I understand that right. Is that true?

Mayor Raizk: No. It's not a demolition property.

Law Director Hapner: No, it's not a demolition property.

Councilman Wells: I thought you had determined which ones you were going to demolish.

Service Director Larry Reinsmith: No, we haven't determined anybody, except for some firehouses.

Mayor Raizk: There is one...

Service Director Reinsmith: We have a lot of houses that need work, but we have never really said that they need to come down.

Councilman Wells: Would 253 South Mulberry? Is that Scott Kirchner's property?

Service Director Reinsmith: It could be, but we haven't said that it needs to be torn down.

Mayor Raizk: We haven't identified....

Service Director Reinsmith: We've said it needs work and repair.

Councilman Wells: I know he is making some extensive plans to renovate that property.

Mayor Raizk: There are two processes. We are not talking about the same thing. There are some properties...we have a couple of properties that have been damaged by fire that we have been trying to get demolished because they are not habitable properties. This part is not about maintenance and repair.

Councilman Wells: I just wanted to make sure that...I didn't want Scott, because he is a former councilmember, to be unfairly targeted.

Service Director Reinsmith: Well, I don't think we would unfairly target him for that...I think he started this project over six years ago and nothing has happened to that house. That is why that house would be targeted for housing maintenance violations.

Councilman Wells: Okay, so this process is going to take a while.

Mayor Raizk: But this is about demolition. This is not about maintenance violations.

Councilman Wells: But you don't know at this point which ones you want to demolish, right?

Mayor Raizk: Well, we have to make sure that they would meet the standard and so forth, and they would have to be in that area.

Councilman Wells: So at this time, it could be like any of these houses?

Mayor Raizk: No.

Law Director Hapner: No. No. The houses have to be determined to be unfit for human habitation. There is a house that there has been an extensive fire, it is not safe to go in, and the Fire Department goes through and does their inspection. That house would be on the list for possible demolition, but houses that can be repaired are not. They're just...

Mayor Raizk: Yes. You see, this is a different thing.

Councilwoman Peterson: We don't want to tear down something that can possibly...

Councilman Wells: That's what the money is for...is to rehab houses...so we should try to rehab them before we tear them down.

Law Director Hapner: Yes. Exactly. Demolition is a last resort.

Councilman Wells: Right.

Mayor Raizk: What we are saying, Don, is that we have never been able...demolition is a very expensive property in the city. We have to take general fund money to get these properties torn down – because they are unsafe and they are a health hazard to many, many citizens. They are a violation of safety and the welfare of the citizens. That is what we are talking about here. We are not talking about housing maintenance code violations per se; we are talking about properties that need to be demolished. The cost of demolition, what is good about the grant this time around, is that this is the first time we have ever been able to use any of these dollars toward getting rid of some of those properties that are a danger to the citizens. That is what we are talking about.

Councilman Wells: Okay.

Whitaker Wright: But you are asking all of the right questions. Yes?

Paul Hunter: Two questions. All the rehab is for owner occupied, right? No landlords, right?

Mayor Raizk: Absolutely.

Paul Hunter: A demolition – the owner of the property – he has some obligations. How do you determine that he doesn't have to demolish it himself?

Mayor Raizk: Well, if they can't demolish or we can't find that, we demolish it...

Paul Hunter: There's a hearing on all this, though?

Mayor Raizk: ...we put it on the tax duplicate and it becomes a [inaudible for transcription] on the title.

Law Director Hapner: Paul, what we have done in the past, is there have been houses where we can't find the owner.

Paul Hunter: That is what I figured.

Law Director Hapner: There may be a house where we have a deed and we know who it is titled to, but actually finding that person is something that we can't do.

Paul Hunter: Because if you could find him and he could afford it, then you would bill him for the demolition.

Law Director Hapner: Absolutely.

Mayor Raizk: Absolutely.

Law Director Hapner: But most of the time it is when we can't find the owner.

Mayor Raizk: Anyway, it does go with the property. So, whatever the cost of the demolition is, it gets assigned to that property on the taxes.

Paul Hunter: So, if there is a new buyer...

Mayor Raizk: If somebody else comes in and buys it, they are going to have to pay that off. There is a lien.

Geoffrey Phillips: Quickly, Whitaker. There is legislation pending in Columbus that is actively being heard in committee hearings (I believe in the House) that deals with this issue as it relates to blight and demolition. Obviously, Wilmington is not the only community that's doing it...it is all over Ohio; it is all over the United States. I am curious if CDC, your agency, has looked at that legislation and understood what that does to this demolition process.

Whitaker Wright: I have not seen the actual legislation.

Geoffrey Phillips: Obviously, we need to...Kathryn probably needs to review it...because it speaks to court action. Obviously, there are communities that have this issue everywhere that want to move properties along. It may give us some different guidelines than what we have done in the past. I just would bring that to our attention.

Mayor Raizk: Yes. The main thing about this, is that this is the first time that we have been able to get grant funds to assist the City in this process.

Law Director Hapner: We still have to follow all of the laws out there. It just allows us to have a vehicle in which to pay the cost.

Mayor Raizk: To fund some of the cost of demolition – a portion of it.

President Ertel: Any other questions? Okay. Thank you very much, Whitaker.

Whitaker Wright: Thank you.

Councilwoman Peterson: Thank you, Whitaker.

President Ertel closed the public hearing.

President Ertel: Okay, that takes care of everything I had. Mr. Mayor?

Mayor Raizk: Well, I'm glad we had a little time for discussion. I was trying to drag my feet so Gary would have a chance to get here. I have several things tonight. First off, I would like to make a presentation to Bill Miller. Bill, if you would come forward, and I'm going to come around here. Bill has faithfully served this community since January 4, 1982, for over 26 years. He, as a Sergeant of the Wilmington City Police Department, has at all times (and I've known him for a long time) represented this city and always has shown the best of the City to the public. I am very proud and honored to have known him. I think the citizens owe you a great debt for your service. I would like to present you with this plaque: "In appreciation to William Miller, Sergeant, Police Department, for dedicated and loyal service to the City and the citizens of Wilmington. January 4, 1982 to April 1, 2008." Congratulations.

[Applause]

Mayor Raizk: Thank you very much. Now, don't leave. There is more coming, so everybody stay. Under Don's Agenda, the chief has another presentation to make, and we have an ordinance there. At the rise of council, we also have cake and some soft drinks and everything for a little reception right here, so everyone hang around.

Mayor Raizk: I have more tonight. First of all, in your packets, just to highlight, we have two groundbreaking. This is exciting. The new City of Wilmington Tennis Court Project in conjunction with the Wilmington City Schools – that groundbreaking ceremony is Friday, May 2, at 3:30. We hope to see many of you there. Also, a groundbreaking ceremony for the Little Giant Restaurant Restoration – that will be on Friday, May 23, at 9:15 a.m. If everybody would check your PDAs, Day Planners, whatever, scribbled notes on the back of your hand, whatever you do. It is also my pleasure tonight (you may have seen the paper) to introduce to council and to the guests here tonight, Phil Floyd. Phil, would you please stand up? Phil has accepted...I am very pleased to have been able to offer and he has accepted...and he started Monday at the Taxi Department. Phil is our new Director of Public Transportation. Do you want to say anything, Phil?

Phil Floyd: Thank you? It is a little early yet, just having started. I'm still in the process of learning the faces and the facilities. Faces are difficult. There are over 55 part-time drivers. Fortunately, they all wear uniforms with their names. That is very helpful. We look forward to continuing the fine services that the taxi company has provided for many years under previous wonderful leadership. We will look for ways to continue that and to enhance it even further. Thank you.

Mayor Raizk: Thank you.

[Applause]

Mayor Raizk: One last note...I want to talk just a couple of minutes about curbside recycling. This is a program that we have worked with; we have had some fits and starts. The last program, we decided we would give it a try. We tried to do it the best that we thought we knew how. I think we talked about, Don, that we kind of set a goal of 10% participation by May 1 and then to be able to look at it. We switched it to the free program. I am so proud of the citizens of Wilmington because this program is really starting to gain traction. We have gone from an average of about 3% (this is an average; we have had some days that were lower and some higher) to an average of about 11% participation. We are very, very excited about it. We've had some spikes up and some trash days are better than others, but it is starting to work. It was interesting: One morning I was coming down to the City Hall (and my trash day is Monday), and as I was driving I said, "You know, I'm just noticing more blue bags out than I've seen in the past." When I got to my office, Don Maher was here and he said, "I want you to see some of these numbers. We are really starting to spike." So we are very excited about that and look in the future what we are going to do. We're going to have a presentation – we have some ideas of how to further enhance this and how to make it even easier. We are looking at some new methods of distribution for the bags. This is a free program; it's not a subscription program, and we are going to make sure that we get 100% credit for this program. I am very excited. If anybody says, "Well, you're program is not successful," as I was told by some folks, I think this is successful and it is going to be more successful. Don will be presenting some things along with Don Maher. It is our landfill and we have some great ideas about how to encourage more advertising – some things we can do – and also to get the bags distributed even in a more easy fashion for folks. We want to try to make it as easy as possible. That is just a real big plus. We will be coming back to you either at the next meeting or the following meeting with some more information about what we can do.

Councilman Wells: We need to save our landfill!

Mayor Raizk: Don has a new mantra, and it's "Save our landfill." and it's our landfill. I think it is very good for the citizens to understand that every time they recycle they are saving their landfill because it belongs to them. We have a unique community because we do have our own landfill. Not very many communities have that. So for us to keep on going with that, it takes everybody participating. It sounds like everybody is doing it. Really, I want to pat the citizens on the back because they are actually taking this to heart and it is starting to work. I think we are very excited about that. That is all I have to say. Thank you.

President Ertel: Very good. Thank you, Mr. Mayor. At this point, we will move into the committee reports. Asset, Acquisition and Use?

Asset, Acquisition and Use –Chairperson Sandy Mongold: We have a resolution tonight. I am asking for three readings because this needs to be presented to the commissioners by the end of April. It is a resolution indicating what services the City of Wilmington will provide to the territory proposed for annexation upon annexation.

A motion was made by Mongold and seconded by McKay to give the first reading only on a resolution Indicating What Services the City of Wilmington Will Provide to the Territory Proposed for Annexation Upon Annexation.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2071 passed as read.

Councilwoman Mongold: That is all.

President Ertel: Okay. Very good. Thank you. Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Okay. Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have an ordinance tonight making supplemental appropriations. I believe all of the members of council were at the Sewer Meeting last week [inaudible for transcription].

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

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4757 passed as read.

Councilwoman Mongold: That is all.

President Ertel: Thank you. Water Committee?

Water Committee – Chairperson Mike Wallace: We have no report, Mr. President.

President Ertel: Thank you. Streets Committee?

Street Committee – Chairperson Peterson: No report.

President Ertel: Thank you. Solid Waste/Recycling Committee?

Solid Waste/Recycling Committee: Chairperson Don Wells: Save our Landfill! Recycle! That is all, Mr. President.

President Ertel: Well, thank you, Don. Wastewater/Sewer?

Wastewater/Sewer Committee: Chairperson Mark McKay: We have no legislation tonight. Sandy did allude to a meeting we had last week and there are lot of things on the agenda this year for sewers. There are a lot of things that will be helping our citizens, so keep tuned to this channel.

President Ertel: Very good. Thank you, Mark. Judiciary Committee?

Judiciary Committee: Chairman Mark McKay: Since Mr. Hockaday is no longer here, I guess I will read through this voluminous list of items we have tonight. ‘A’ through ‘E’ all pertain to the CHIP Grant that Whitaker spoke of earlier in the meeting. Are there any other questions regarding those things? If not, we will start through the list. The first item has to do with the hiring of CDC of Ohio for the purpose of preparing applications for the Fund Year 2008 Community Housing Improvement Program.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Authorizing the Hiring of CDC of Ohio for the Purpose of Preparing an Application for the FY 2008 Community Housing Improvement Program and, if Funded, to Provide Services to Implement and Administer the City of Wilmington's Community Housing Improvement Program to Meet the Requirements of the Ohio Department of Development.

Motion passed.

Director of Law read resolution by title only.

Councilman McKay: On all of these items, I will be asking for three readings because there is a time limitation and in order to get these applications in by May 2, we need to get these passed in time.

A motion was made by McKay 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; Peterson, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2072 passed as read.

Councilman McKay: The second item is a resolution appointing the city's representative for the Community Housing Improvement Program Grant.

A motion was made by McKay and seconded by Mongold to give the first reading only on a resolution Appointing the City's Representative for the FY 2008 Community Housing Improvement Program Grant.

Motion passed

Director of Law read resolution by title only.

A motion was made by McKay 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; Peterson, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2073 passed as read.

Councilman McKay: The next item has to do with the City providing some in-kind services, office equipment and so forth.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Committing Office Equipment, Office Space, Utilities, Audit Costs and In-Kind Services for the FY 2008 Community Housing Improvement Program (CHIP).

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2074 passed as read.

Councilman McKay: The next item has to do with declaring the slum and blight area.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Declaring a Public Nuisance and Spot Slum and Blight Pursuant to the Rules and Regulations Governing the Community Development Block Grant (CDBG)HOME Small Cities/Community Housing Improvement Program (CHIP) and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2075 passed as read.

Councilman McKay: Item E has to do with authorizing the submission of the application for the program.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Authorizing the Submittal of an Application for the FY 2008 Community Housing Improvement Program Grant and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2076 passed as read.

Councilman McKay: That is the end of the CHIP regulations. We do have one additional ordinance. Mr. Mayor, did you want to speak about this at all?

Mayor Raizk: Yes, I will be glad to, Mark. I am asking Council tonight to...we are currently in the process of reviewing some of our zoning legislation. Some of this you will remember you looked at and you passed some ordinances about junk cars on streets and so forth. This has to do with some of our zoning issues in zones that have previously permitted certain types of activity. While we were reviewing that legislation, I am asking the council to declare a moratorium on the establishment of property used for the storage of junk, junk motor vehicles, towed motor vehicles, towing businesses, towing yards, and so forth while we are doing that. The reason I am asking for the moratorium is that it has happened in the past to us that while our legislative process, being thorough and reflective, was occurring, things happened that were beyond our control and we couldn't do it. I will give a perfect example. Council's intent was to outlaw billboards in the City of Wilmington. We passed legislation (this was several years ago) and the legislation taking 30 days to take effect, several companies pulled building permits in that time period. Once they were done, there wasn't anything that Council could do about it. With the moratorium we can at least, without fear of any new establishments,...and I will strongly indicate that this does not stop any current business activities actually going on...in other words, those folks that are here are grandfathered in and so forth...but this would establish that any new businesses applying for permits would be stopped until we can review this legislation. We don't know how we are going to approach this, whether these will be conditional uses, whether we are not going to have it all or whatever it is, but while we are in that process, this way we are not threatened with new businesses

getting started and new properties doing this while we are trying to make an intelligent decision. Especially, since we have had several examples of this in the past that have taken many, many, many, many years to get corrected, since we are starting on the right path, I don't want to go backwards. I am asking council tonight, and I think I have explained that to the committee the best way I know, to pass a moratorium on these items that are in this legislation. I think it is for six months is the way it is written. We certainly will be through our legislative process on these items prior to that. At least this way we can pursue and research and figure out how we are going to deal with these items without the fear of them being established while we are doing that. That is the purpose of the moratorium.

Councilman McKay: Thank you, Mr. Mayor. Are there any other questions?

Councilman Jaehnig: Mr. Mayor, this is towing yards and junk businesses. An automobile repair shop, does that qualify for this category?

Mayor Raizk: No, I think they are exempted.

Councilman McKay: This would be primarily businesses that would generate cars sitting out that are in a non-runnable state.

Councilman Jaehnig: I just thought that some automotive repair shops would have some cars under repair.

Mayor Raizk: I think if you look, there is a paragraph that deals with that. Those that are in for legitimate repairs or collision repairs by an establishment.

Councilman McKay: Timely repair. If there are no other questions, I am asking for three readings. The nature of the moratorium is that it should happen immediately and I am asking for an emergency to be declared.

A motion was made by McKay and seconded by Wells to give the first reading only on the ordinance Declaring a Moratorium on the Establishment of Property Used for the Storage of Junk, Junk Motor Vehicles and Towed Motor Vehicles Within the Incorporated Limits of the City of Wilmington and Declaring an Emergency.
Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4758 passed as read.

Councilman McKay: I think you've heard enough from me tonight. Thank you.

President Ertel: Okay. Thank you. Safety Committee? Don?

Safety Committee- Chairperson Don Wells: Mr. President, I have three items on there tonight. The first item is three readings on a resolution regarding a retiring police officer's service weapon and badge, providing for release of claims, and honoring said officer with the presentation of the same, and declaring an emergency. Are there any questions or discussion?

A motion was made by Wells and seconded by Peterson to give the first reading only on a resolution Regarding a Retiring Officer's Service Weapon and Badge, Providing for a Release of Claims, and Honoring Said Officer with the Presentation of the Same, and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2077 passed as read.

Councilman Wells: The second item is three readings on a resolution authorizing the filing of an application through the US Department of Justice Bulletproof Vest Partnership/Body Armor Safety Initiative Program, and declaring an emergency. Are there any questions or discussion?

A motion was made by Wells and seconded by Peterson to give the first reading only on a resolution Authorizing the Filing of an Application Through the US Department of Justice Bulletproof Vest Partnership/Body Armor Safety Initiative Program, and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2078 passed as read.

Councilman Wells: The third and last item is three readings on a resolution accepting a gift from Bible Baptist Church for the purchase of emergency shelter supplies. Are there any questions or discussion?

A motion was made by Wells and seconded by Jaehnig to give the first reading only on a resolution Accepting a Gift.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2079 passed as read.

President Ertel: At this point, we would like to have a presentation. Mr. Mayor?

Mayor Raizk: Yes, I think the Chief has a presentation to make to Bill. Since the resolution has been read, now he can go ahead and do this.

Chief Hatten: Twenty-six years, Bill. Congratulations.

Sergeant Bill Miller: Thank you.

Chief Hatten: We would like to present you with a little token of our appreciation so that you can remember us.

[General banter during unveiling of gift]

Sergeant Bill Miller: I would like to say thank you to all of the citizens of Wilmington and my fellow workers. It has been a wonderful career, it really has. I remember when I first started with the City it was a sleepy little town. At 8:00 p.m., the sidewalks rolled up. Nobody was on the streets until 6:00 or 7:00 the next morning. Now we have a city that never sleeps, so it has definitely changed. It has been very rewarding. I have thoroughly enjoyed it, and my best wishes to all of my coworkers. To all of the citizens, they have a fine police force that is still representing them and keeping them safe. So things will move on, but I really appreciate it. Thank you very much.

[Applause]

Chief Hatten: We also have a certificate from Representative David Daniels to Bill Miller for his 26 years of service for the City of Wilmington and the citizens of the community. Policemen get so possessive of their guns. It's like prying it out of their fingers to get it from them so we can clean it up and give it back to them. But Bill, they have passed the ordinance, so you get to have your service weapon back.

Sergeant Bill Miller: Thank you very much, Chief.

Chief Hatten: Congratulations Bill. We really appreciate it.

[Applause]

Safety Director Nick Babb: Bill, while you are doing that, I too want to say congratulations for the years of service – 26 years – for the job you did. On behalf of the citizens, except for those you arrested, we would just like to say, “Job well done.” Thank you very much.

Sergeant Bill Miller: Thank you very much, Nick. I really appreciate it. I'll let you get back to council.

Mayor Raizk: Don't forget cake.

[General banter]

President Ertel: Okay. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold – No report.

President Ertel: Thank you. Parks and Recreation?

Parks and Recreation Committee - Convener Mike Wallace: I have no report, but there is a lot happening out around the school right now with the unofficial groundbreaking that is happening with those tennis courts up there. A lot of dirt is getting shoveled around, so we are excited about the things that are happening.

President Ertel: Excellent. Service Director?

Service Director- Service Director Larry Reinsmith: No report.

President Ertel: No snow; no report. Safety Director?

Safety Director – Nick Babb: No report.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by McKay to approve the Auditor-Treasurer report, March 2008, 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. If you would please, come to the podium and state your name and address for the record. Sandy?

Councilwoman Mongold: Quickly, I would like to say that first we have several members in our audience tonight that are 2008 class members with Leadership Clinton. We would like to welcome them. Also, today was Leadership Clinton's Southwest Ohio Regional Priorities Day. Many of us in the room attended that, and it was wonderful. It was a wonderful day. It was in conjunction with Clermont and Warren Counties. I would like to say good-bye Bill and welcome to Phil. I want to thank Bill for his service and look forward to your service.

President Ertel: Okay. 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 Jaehnig and seconded by Peterson to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

COUNCIL

May 1, 2008

Wilmington City Council met on Thursday, May 1, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Popp to approve the minutes of the last regular meeting, April 17, as received.

Motion passed.

Minutes approved as received.

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

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

President Ertel: Okay. Let's see...Let's move into committee reports. Asset, Acquisition and Use?

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

President Ertel: Thank you. Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Okay. Very good. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We do have an ordinance making supplemental appropriations. The first item for the property casualty insurance hopefully should carry us through the end of the third quarter and possibly through year-end. The second item tonight is what we accepted at the last meeting for the emergency supplies; we are just putting in a line. The third item is for the Municipal Court vehicle.

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

Motion passed

Director of Law Assistant Lynn Turner Assistant Lynn Turner read ordinance by title only.

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

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

Director of Law Assistant Lynn Turner read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4759 passed as read.

President Ertel: Anything else, Sandy?

Councilwoman Mongold: No, thank you.

President Ertel: Okay. Thank you. Water Committee?

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

President Ertel: Thank you. Streets Committee has something shown on the Agenda. That will actually be put down as 'Item D' on the Judicial Committee. Outside of that, anything else?

Street Committee – Chairperson Peterson: No report. Thank you.

President Ertel: Okay. Solid Waste/Recycling Committee?

Solid Waste/Recycling Committee: Chairperson Don Wells: I have nothing on the Agenda tonight, but I do want to remind the citizens to use our blue recycling bags to save our landfill. That is all, Mr. President.

Mayor Raizk: Mr. Save-Our-Landfill, could I have a little bit to help you?

Councilman Wells: Yes.

Mayor Raizk: We have been working on some advertisement and to try to get this, and we have come up with this, which is "Recycle Here" in the traditional green, "Use the Blue Bag", "It's Free", "Save Our Landfill." We are going to put these on taxicabs. We're going to put these.... through the miracle of modern photography, we are also going to put them on the side of the packers.

Councilman Wells: That's great.

Mayor Raizk: Then, we're hopeful as we look at some funding (we might need some funds to do this because we're not getting the help as we thought for promotion of this, so we are going to do this ourselves... and I think it's important that we do that because the citizens are rising to the challenge and we need to encourage them) to run some little ads like this periodically in the paper. I mean, it doesn't have to be big, but just ever so often, something like this in the paper. Then, we are...excuse me?

Geoffrey Phillips: I'm trying to negotiate a deal to get them free?

President Ertel: Good idea.

Mayor Raizk: Geoffrey...

Geoffrey Philips: Between Bill Marine and Liberty Savings, shouldn't it be free?

Mayor Raizk: ...your naiveté frightens me sometimes. Anyway, we'll try to pay for some ads is what we're going to have to do.

Councilman Wells: Did Gary get a good look at that?

Mayor Raizk: I'll show Gary after the meeting.

[General Banter]

Mayor Raizk: Here Gary, you can have these two.

Clerk Laura Curliss: We can probably email them.

Mayor Raizk: And we might be able to email those if that works out better for you than...

[General Banter]

Mayor Raizk: No, we're not going to be carrying bags at this point, but one of the things that we're working on as far as distribution – one of the things we've heard – which I contest most vigorously, is this is not a subscription program. It is a free program because these bags are available and they are available at many locations. But to further that along, we're trying to come up with a methodology that when you need a bag or

you're running out, to come either call or email and we will actually deliver the bags to you. We're trying to work on that. Because our folks know where the houses are that using them the most, and it would be just as simple to hand-deliver them to that. We've talked about trying place some – you know, when they pick up a bag stick something in the yard – but we all know that the first kids on bicycles coming down the street, they will be gone before anybody ever gets out there to the curb. So we're trying to come up with a distribution system, not to supersede what we have right now, but to enhance what we have.

Councilwoman Peterson: One comment I'll make that seems to be working is we have neighbors teaching neighbors. I've heard a lot of stories that they'll see their neighbors putting out recycling, so they'll educate them.

Mayor Raizk: But I think, and I've heard it from other folks, just like it affected me, is driving down the street one day and I just saw a lot more blue bags than I had seen before. They were at residences that I had not seen them before. I think that's great. I think people are talking about it. Obviously, with the media attention on Earth Day and recycling and all of the things in the last few weeks, we might as well capitalize on that going in.... and going into spring I think people are more receptive to it. We're going to try to enhance this as much as we can and keep this going, but we're excited about the numbers and hope they keep going up. As we work out the bugs of the distribution system, we'll keep you updated.

Councilman Wells: Thank you very much.

Mayor Raizk: This is for you.

Councilman Wells: All right. Thank you.

Mayor Raizk: You can put it in your car window.

[General Banter]

Mayor Raizk: Don gets to have that first, that's right.

President Ertel: Okay, Wastewater/Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: I have no report, Mr. President.

President Ertel: Thank you, sir. Judiciary?

Judiciary Committee: Chairman Mark McKay: We do have some items under Judiciary as you see, and as you mentioned earlier, the item from Streets Committee we'll handle under Item D. The first couple of ordinances have to do with an opportunity we have to change the position due to a person leaving, and I think perhaps the Mayor may give us just a little background on that so you will understand what we are doing.

Mayor Raizk: Yes. Just so everybody is aware, when you see the word "abolish" and so forth, you wonder what we're doing. Neva Storer just retired yesterday, and we could not do this until she retired, although this has been our plan to do with her retirement. Neva was at a range 10 as the Building Department Secretary/Administrative Assistant. We have redone that job description, so we need to abolish her old job and the job that is replacing that is rated as a 6. So there is a benefit, of course, to the City in the salary range, and with a different responsibility entitled to it. With Neva's retirement, coming from the older system we had before, that is why we are abolishing it. We could not do this prior to her retirement, obviously, or she would have been retired before she actually retired. This abolishes her old position and creates the new one.

Councilman McKay: Thank you, Mr. Mayor. Other questions?

Councilwoman Peterson: Yes, just a clarification. You have both of these down for three readings. Are they emergencies?

Clerk Laura Curliss: No.

Councilwoman Peterson: Could we just do one reading?

Councilman McKay: The only question I have is, I know they're trying to fill that position...

Mayor Raizk: We need to post for the test for the job.

Councilwoman Peterson: Oh. Okay.

Mayor Raizk: Now, it is not an emergency, but I would request three readings...

Councilwoman Peterson: But, it's urgent.

Councilman McKay: Right.

Mayor Raizk: ...because it would still take 30 days to take the test.

Councilwoman Peterson: Okay.

Councilman McKay: If we don't do the three readings, then the 30 days does not start.

Mayor Raizk: It doesn't start; that is correct.

Councilwoman Peterson: Okay. Thank you.

Mayor Raizk: This will allow us to go ahead with the testing of the position.

Councilman McKay: Thank you.

Councilman McKay: Any other questions? If none, the first item is, as we said, to abolish a position.

A motion was made by McKay and seconded by Peterson to give the first reading only on the ordinance To Abolish the Position of Secretary (Administrative Assistant) in the Building and Zoning Department.

Motion passed

Director of Law Assistant Lynn Turner read ordinance by title only.

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

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

Director of Law Assistant Lynn Turner read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4760 passed as read.

Councilman McKay: The second item is establishing the new classification and salary ranges for that position.

A motion was made by McKay and seconded by Peterson to give the first reading only on the ordinance Amending Ordinance No. 4703 Establishing Classification and Salary Ranges for Certain City Employees, Repealing Ordinances and Parts of Ordinances in Conflict Herewith.

Motion passed

Director of Law Assistant Lynn Turner read ordinance by title only.

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

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

Director of Law Assistant Lynn Turner read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4761 passed as read.

Councilman McKay: The next item has to do with appointing a construction management firm to oversee the Little Giant project. These are the folks, the architect, who actually designed the plans, I believe. It would seem appropriate to ask them to be our management service. Are their questions about this?

Geoffrey Phillips: Is the address right in the ordinance?

Councilman McKay: The address of the Little Giant or...?

Geoffrey Phillips: Yes sir.

Councilman McKay: I don't know. Apparently, you know it's not.

Geoffrey Phillips: On the copy I have, it reads 119 N. Main Street.

Councilman McKay: Oh, North Main.

Service Director Larry Reinsmith: North South.

[Inaudible discussion]

Clerk Laura Curliss: Do you want to amend it?

President Ertel: I have 119 N. Main Street here.

Clerk Laura Curliss: North South.

Councilwoman Peterson: It's also on the architect's Scope of Service as well.

Clerk Laura Curliss: Pauline typed that one, maybe that's where she got the address.

President Ertel: Let's amend that, Mark.

Councilman McKay: We'll fix that.

Councilwoman Peterson: It's hard to move the Little Giant.

Councilman McKay: Are there any other questions?

Councilwoman Peterson: It's down for three readings. Is there urgency associated with this?

Clerk Laura Curliss: Yes. It depends on how quickly you want to get it done.

Councilman McKay: It's a construction project and its construction season.

Clerk Laura Curliss: It's construction season.

Mayor Raizk: When do we open the bids for this?

Clerk Laura Curliss: May 16.

Mayor Raizk: We open the bids May 16.

Clerk Laura Curliss: May 16.

Councilwoman Peterson: Then we better get going on this. Thank you. Thanks for the clarification.

Councilman McKay: The first item of business would be to ask that we amend the ordinance to read “North South Street” instead of “North Main Street.”

A motion was made by McKay and seconded by Peterson to amend the resolution to read “North South Street” instead of “North Main Street.”

Motion passed.

Resolution was amended.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Authorizing and Directing the Mayor to Enter into an Agreement for Construction Management Services (as amended).

Motion passed.

Director of Law Assistant Lynn Turner read resolution by title only.

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

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

Director of Law Assistant Lynn Turner read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2080 passed as read.

Councilman McKay: The last item is a change of the fines that we are charging for handicapped-parking violators. In the past, it has been a rather low fee -- \$20. It was low enough not to make a difference. We do have the authority to go up to \$250 and that is what we are requesting in that ordinance. Are there other questions?

Councilman Wallace: Are we going to have to make this [inaudible for transcription]...

Councilman McKay: The way it is set up is you are charged \$250 if you break that.

Councilwoman Peterson: Yes, there were some on the committee, if we could have gone higher we would have.

Councilman McKay: The committee felt it was important enough to not allow a lower fine to be charged for shorter time.

Councilman Jaehnig: Is this related with the signage at all?

Councilman McKay: Absolutely.

Councilman Jaehnig: It states that on the sign?

Councilman McKay: I believe. Are we going to attempt to state it on the sign?

Councilman Wells: Yes.

Councilman McKay: Because all this is happening rather quickly – the new parking regulations going into effect and so forth – we do want to get this passed as soon as possible. Any other questions?

Councilwoman Peterson: So are we going to do three readings?

Councilman McKay: That is correct.

[Inaudible discussion]

A motion was made by McKay and seconded by Peterson to give the first reading only on the ordinance Amending Ordinances 351.04 and 351.98 of the Codified Ordinances of the City of Wilmington to Increase the Penalty for Illegally Parking in a Handicapped Parking Location.

Motion passed

Director of Law Assistant Lynn Turner read ordinance by title only.

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

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

Director of Law Assistant Lynn Turner read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4762 passed as read.

Councilman McKay: That is all I have, Mr. President.

President Ertel: Thank you very much. Safety Committee?

Safety Committee- Chairperson Don Wells: Mr. President, I have one item tonight: three readings on a resolution authorizing the Mayor to enter into a lease option to purchase agreement for our fire trucks and declaring an emergency. Are there any questions?

Councilwoman Peterson: Did you say "trucks?"

Councilman Wells: Fire trucks.

Mayor Raizk: Yes. If you want me to explain a little bit. What we have done is traded two of our back-line pieces of equipment, which was an older model custom-built pumper and what was the old grass truck?

Safety Director Nick Babb: We traded a 1996 4-Guys pumper and then the Sutphin.

Mayor Raizk: And then the [inaudible for transcription], the one that used to belong to the...that we used as a... for two pieces of equipment that can actually get out into the field to do grass fires. These pieces are large enough to do a job, but small enough to be able to do that. There is a lot of advantage to this because what happens is we now have a piece of equipment rather than taking out a half a million-dollar pumper to a car fire; we can take this piece of equipment. When there is a grass fire, these are the types of things that you see in national parks and those kinds...that can go around and can get out into the wilds and off the road and deal with those kinds of problems.

Councilwoman Peterson: More mobile.

Mayor Raizk: Much more mobile, but still they have a lot of firefighting capability. They will be able to take the foam on it, right?

Safety Director Nick Babb: They'll be able to throw foam as they move. Plus, it gives us the capability of going off-road with a fire engine, such as at airplane crashes. We don't have that capability now.

Mayor Raizk: Right. We do not have that capability. What has happened here is we have gotten rid of two (we tend to accumulate trucks over the years). We have gotten an excellent trade-in of a substantial amount of money in trade on these two and then we

are leasing these at a good rate. Then, at the end of that lease, we own them. It's a true public finance lease.

Councilwoman Peterson: When will we get them?

Safety Director Nick Babb: Next April.

Mayor Raizk: Next April.

Safety Director Nick Babb: They're made in St. Paul, Minnesota.

Councilwoman Peterson: Hopefully we'll see...

Mayor Raizk: They actually took the trade-ins already.

Safety Director Nick Babb: We got \$100,000 for them...

Mayor Raizk: For the two trade-ins. They have already taken those, so we're not just piling trucks on top of trucks. It's given us some room.

Councilwoman Peterson: Thank you.

President Ertel: Did understand it right? They won't be available until next April?

Safety Director Nick Babb: Right.

President Ertel: Okay. When do we start paying on the lease?

Safety Director Nick Babb: When the trucks come in.

President Ertel: When the trucks come in? Okay.

Councilman Wells: Are there any other questions?

Councilwoman Peterson: No. Thanks for the clarification.

Councilman Jaehnig: What kind of bind does that put on our Fire Department if we're missing three trucks?

Safety Director Babb: We're missing two trucks. We didn't use these. In fact, this is a big dollar savings because all pumpers have to meet state requirements every year and we have to put money in these reserve pumpers and we don't have to do that now.

Mayor Raizk: We don't have to certify these. The trade-ins were not front-line pieces of equipment.

Safety Director Babb: We haven't used this one pumper for a long time. In fact, it has been sitting down in Martinsville for about six months. We loaned them a fire truck while they were waiting for a truck. These were two trucks we did not need at all. It's unusual, when they give us that much money in front of us...

Councilwoman Popp: You bet. Well, I would like to commend you for making this deal and saving us money and being good keepers of our money.

Councilman Jaehnig: The really nice thing about these is when we have an accident, now we are responding with a major fire truck. We'll be able to send out a smaller unit, which is going to much more cost effective and not tie up the roads quite as largely as before, yet still be able to service everybody's safety.

Councilman McKay: I think another thing that Nick said that he didn't really talk about was the fact that they can throw foam while they're moving and that is something we could not do before.

Safety Director Nick Babb: No, we don't have anything that can do that.

Councilman McKay: You had to stop and actually...

Safety Director Nick Babb: Now, these are not aircraft trucks by any stretch of the imagination, but if you roll up on a working car fire or, heaven forbid, someone trapped inside, we can throw foam about 75 yards before we get there.

Councilwoman Peterson: What is the total amount of the lease?

Safety Director Nick Babb: It is 10 times \$57,134.87, which would be \$571,000.

Councilwoman Peterson: It would be \$571,000.

Safety Director Nick Babb: This is taken out of our fire levy fund. This is not general fund money.

Councilman Wells: And the interest rate is very good.

Councilman McKay: 3.778.

Councilman Wells: Okay, is there any more discussion?

A motion was made by Wells and seconded by McKay to give the first reading only on A Resolution Authorizing and Directing the Mayor to Enter into a Lease with Option to Purchase Agreement and Declaring an Emergency.

Motion passed

Director of Law Assistant Lynn Turner read resolution by title only.

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

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

Director of Law Assistant Lynn Turner read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2081 passed as read.

Councilman Wells: That is all tonight, Mr. President.

President Ertel: Thank you so much. Okay. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold – No report.

President Ertel: No report? Okay. Parks and Recreation?

Parks and Recreation Committee - Convener Mike Wallace: I would just like to make a comment. We are having our tennis court groundbreaking tomorrow. We can move it inside if there is weather.

Councilman Jaehnig: We'll take the dirt inside?

Councilman Wallace: No...just the shovels.

President Ertel: Very good. Service Director?

Service Director- Service Director Larry Reinsmith: As Mike mentioned, they are going to have the groundbreaking on the tennis courts. They've already broken a little ground and they've done some preliminary work already on some underground utility work and

site work and compaction and stuff like that. The project should probably be getting on schedule and ready to play here in a couple of months.

Councilman Wallace: We've had some good weather. They've moved a lot of dirt.

Service Director Reinsmith: We shut them down today because they [inaudible for transcription], but they'll be all right. Also mentioned was the Little Giant project. We bid that project out once and we got no action on it to say. I don't know, there were probably a couple of problems. One might of have been the cost of the plans themselves. Secondly, I think that a lot of contractors really don't want to get into messing with metalworking, so we have re-bid it and the bid open is May 16, so hopefully we can... We did get some calls from some Cincinnati-area people, so maybe we can get some interest and get it going. We are presently bidding the southern-loop water project. Bids are scheduled to open on that project on May 15. That should be a good project. We have had some meetings with some other types of people that are going to be putting some things out in that area and I think this water line is going to be very, very important for those upcoming projects too. We've sent out RFPs for our urban paving project and we are getting very close to selecting that engineer. We're trying to whittle down the price a little bit on those costs, and I think that we've had a little change in the way that we want to do that. We're probably going to split that project out from urban paving because ODOT will require certain things on their plans and then curb, gutter, sidewalks, driveway approaches, catch basins, we'll do all of that work on a separate project. It's going to cost a little more for that engineering. We're still trying to get it down within our parameters. I think that in the near future, Cindy, we're going to need to have a Street Committee to talk about maybe some of this long-term financing on this project, so we'll be thinking about that. I think will have to make some decisions as we move forward with these engineers.

Councilwoman Peterson: Do you want to shoot for May or June...?

Service Director Reinsmith: We need to get started real quick on the engineering because ODOT...there's quite a bit...we're starting at the western corp line on Main Street and coming all the way to Clark Street on Main, and then we're starting back here on Mulberry and going all the way out to Wayne Road. We have to have preliminary plans to ODOT October 1, so there is a lot of work. We do want to get moving.

Councilwoman Peterson: I have a list of several Agenda items. I am going to go ahead and work with Laura, get it sent out to everyone on council, and then we will see if we can get the committee together. I also sent out the list of tentative agenda items. If there is anything else that council would like to add to the committee, let us know and that way we can do some preparation for.... We've been getting a lot of random things, so...that way we can do some prep up front.

Mayor Raizk: We probably need a separate meeting on this. Don't you think?

Larry Reinsmith: On this one?

Mayor Raizk: Yes.

Service Director Larry Reinsmith: Probably.

Mayor Raizk: Cindy, I think as you're putting your normal agenda items together, we need to reserve a time. I think this is its own agenda item.

Councilwoman Peterson: So, we'll do a work session on this. We'll go ahead and schedule two meetings then in May. We'll do this early in May and then we'll do our regularly scheduled agenda later. I'm still going to go ahead and send out the pending agenda items. That way, we can start looking at those and adding new things. Larry and his group can do the homework that may be needed. Does that plan work okay then – early May – for the work group?

Service Director Larry Reinsmith: Early May. You said next week is not good for you?

Mayor Raizk: From Wednesday through Saturday, I am out. Any other time. I could do it earlier or the week after.

Service Director Larry Reinsmith: The week after?

Councilwoman Peterson: Let's do it the week after.

Councilman Wells: Larry, I've noticed a few street lights out in the Third Ward. What is the proper procedure if a citizen notices that the streetlight near them is out? How should they go about?

Service Director Larry Reinsmith: They need to call my office. They need to have their address or a close proximity. If they want to go out and read the pole number, that is great too. A lot of DP&L poles are numbered. We've got one over at Timber Glen right now and it is sitting right between two houses. They went over and repaired the wrong the light, and now the guy is still complaining that we never fixed the light. You know how those lights are down there. They are awful close. If they can say, "Right on the corner of Main and South," or "At 623 Bernice," or something like that that would help.

Mayor Raizk: What happens is you call it in and give us something and we fax it to Miami Valley Light.

Service Director Reinsmith: We fax it. That way, we have a record when we fax it and they are supposed to really repair it in three days.

Councilman Wells: Where the County Annex building is, right across the street, there is a light pole right there.

Mayor Raizk: On Nelson.

Councilman Wells: On Nelson. Yes. That one is out.

Service Director Reinsmith: They were out surveying them the other night. I met them there at the corner of....

Councilman Wells: They may already know it then.

Mayor Raizk: Yes.

Service Director Reinsmith: Yes.

Councilman Wallace: [inaudible for transcription] Miami Valley Light.

Service Director Reinsmith: Yes. Miami Valley Lighting.

Councilman Wallace: They are supposed to be doing [inaudible for transcription].

Service Director Reinsmith: Yes. That is all, Mr. President.

President Ertel: Thank you. Safety Director?

Safety Director – Nick Babb: Just a couple of items. The Federal Emergency Management Agency has allowed Clinton County to apply for funding to recoup some of our labor and material costs due to the blizzard we had back in February. Police and Fire and the Service Department are working with Mary Kay to gather those figures so we can apply for some federal funding. You've seen our one police car?...I hope you all have. We have three more sitting down in Cincinnati waiting to be refurbished, and hopefully this month we will have them on the road. We finally sold old Engine 2. It's gone. A gentleman from Hillsboro [inaudible for transcription]. We got \$1000 for that truck.

Mayor Raizk: It's a bargain.

Safety Director Babb: That is all I have. Thank you.

President Ertel: Okay.

Reports:

A motion was made by Jaehnig and seconded by Wells to approve the Income Tax Report – April 2008, 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. If you would, please, come to the podium and state your name and address for the record. Sandy?

Councilwoman Mongold: I did have one item I wanted to talk about during Downtown Revitalization. I am talking about it because I am not going to be at the next meeting. The first Thursday in June, Main Street is starting up Brown Bag Lunches. The entertainer at the Murphy Theatre is Carl Guenther. I think we are all familiar with Carl. He is a recording artist and he is local. So he will be the guest entertainer at the June 5 Brown Bag Lunch. I do have a list. We are going to be putting these around town for the entire series. They are from 11:30 to 1:00. Bring your lunch and enjoy the music. Thank you.

President Ertel: Very good. Thank you. Anyone else wishing to address council?

Geoffrey Philips: Very quickly. Geoffrey Phillips. 824 Kelly Drive. I was asked to substitute for Rob's wife tonight. As a member of the board of the YMCA, we are under way in our Annual Partners with Youth Campaign. I will pass out a brochure. I attended a meeting this morning. Everybody made reference to what folks could do with their economic stimulus check. To continue the spirit of the day, when the deposits are made tomorrow, contributions to the Y that will assist youth in our community to be able to participate in programs at the Y. Partners with Youth is a scholarship program that assists over 200 families in our community in having access to health, wellness, and fitness programs at the YMCA, and we ask your consideration. Thank you.

President Ertel: Very good. Thanks, Geof.

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 Jaehnig and seconded by Peterson to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, May 15, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

A motion was made by McKay and seconded by Wells to excuse the absent members.
Motion passed.
Absent members excused.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Popp and seconded by Jaehnig to approve the minutes of the last regular meeting, May 1, 2008, as received.
Motion passed.
Minutes approved as received.

President of Council – Fred Ertel: Okay, that takes care of mine. Mr. Mayor?

Mayor Raizk: No report, Mr President.

President Ertel: Very quick meeting here. Asset, Acquisition and Use?

Clerk Laura Curliss: That would be Sandy.

Asset, Acquisition and Use – In the absence of Chairperson Sandy Mongold, there was no report.

President Ertel: Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee? That would be Sandy.

Finance Committee – In the absence of Chairperson Sandy Mongold, Councilman McKay: I'll be taking over those duties tonight. We do have a couple of things which we will be giving first readings on only. Are there any questions about any of the supplemental appropriations?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Making Supplemental Appropriations.
Motion passed
Director of Law read ordinance by title only.

McKay requested that the second and third reading be on the Agenda for the special meeting meeting.

President Ertel: Yes. That meeting is set for May 21. Am I correct?

Clerk Laura Curliss: We are trying to refine 5:30 or 5:15 maybe to accommodate Mr. Wallace.

Councilman Wallace: Sooner is better for me.

Clerk Laura Curliss: Right. I have a call into Sandy. She is the only one I haven't heard from.

Councilman Jaehnig: That is going to be on...?

President Ertel: The 21st.

Clerk Laura Curliss: The 21st.

Councilman Wallace: I am going to have to leave no later than 5:45.

President Ertel: Okay. We can do that. 5:15?

Clerk Laura Curliss: Maybe 5:15 will be...

President Ertel: That will be fine. We will see if we can do that. Yes, Mark? Excuse me.

Councilman McKay: The other item we have is an ordinance making miscellaneous transfers. Are there any questions on that item?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed

Director of Law read ordinance by title only.

McKay requested that the second and third reading be on the Agenda for the special meeting.

Councilman McKay: That is all I have.

President Ertel: Okay. Thanks, Mark. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Street Committee – In the absence of Chairperson Peterson, no report.

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: Chairman Mark McKay: We do have one item, which we will also be giving the first reading on. I believe that this is pretty much a housekeeping measure. It was learned when they were looking at this job change in the zoning area that there was still something on the books having to do with the residency requirement that that person live in the city. We believe that that has been expunged from all of the other records, so that is what this is about. Are there questions or comments on that?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Repealing Sections (C) and (D) of Chapter 133.11 of the Codified Ordinances of the City of Wilmington.

Motion passed

Director of Law read ordinance by title only.

McKay requested that the second and third reading be on the Agenda for the special meeting as they are going to be filling that position as soon as possible.

Councilman McKay: Is that right Larry – that it needs to be a second and third? Thank you. That's all I have.

President Ertel: Okay. Thank you. Safety Committee?

Safety Committee- Chairperson Don Wells: Mr. President, we have one item tonight. The first reading on a resolution accepting grant proceeds. Are there any questions?

A motion was made by Wells and seconded by McKay to give the first reading only on a resolution Accepting Grant Proceeds.

Motion passed.

Director of Law read resolution by title only.

Wells requested that the second and third readings be on the Agenda at the special meeting.

Councilman Wells: Thank you.

President Ertel: Thank you. Downtown Revitalization?

Downtown Revitalization Committee – In the absence of Convener Sandy Mongold, there was no report.

President Ertel: Parks and Recreation?

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

Service Director- Service Director Larry Reinsmith: We opened bids today on our southern loop project, connecting our water lines from Davids Drive over to the water tower by Ahresty. The climate is good for bidding out stuff. We had 12 bidders that bid that project. Our engineer's estimate was high – it was \$655,000 for 12-inch line, and we thought it was high. He had taken comps from other projects in the area and that is why he used those numbers. Our low bid came in at \$399,000. It wasn't a fluke because the number two guy was \$900 behind him. There were four of them grouped there within \$30,000. The high bid was \$250,000 off, so there was pretty good range in there. I'm glad he was up there too – Davey knows that bidder. We would have all lost our jobs.

[General Laughter]

Service Director Larry Reinsmith: Anyway, the reason I am telling you this, Mike, is I think that when we passed this ordinance to bid it, we didn't pass the ordinance to contract. Scott Kirchner was chairman then, and he wanted to see how the numbers came back in before we went that way, so we need to get consensus from the committee to get the approval to contract that project. I am going to be out of town next week, but if you want to have a short meeting or do a telephone meeting or whatever – Ernie has all the information on that project. I know they have a Board of Control Meeting, I think scheduled for Wednesday or Thursday morning. Isn't it, Laura?

Clerk Laura Curliss: I thought it was Tuesday.

Service Director Larry Reinsmith: You're going to open bids Tuesday on the Little Giant. I thought it was Wednesday morning.

Clerk Laura Curliss: Wednesday.

Service Director Larry Reinsmith: Anyway, we want to get moving. As soon as it is dry enough to get started, we'd like to get going on it, so we need to get that done. That is all, Mr. President.

Mayor Raizk: If you could get that consensus and get it back to us. We could do it at the Board of Control meeting on Wednesday, could we not? Even though you're not here.

Service Director Larry Reinsmith: Yes. The money is in place. It's sitting over there in the bank. It's ready to go and...

Councilman McKay: Does that require legislation?

Service Director Larry Reinsmith: Probably.

Clerk Laura Curliss: But we have a meeting Wednesday night.

Councilman McKay: Okay.

President Ertel: Yes. If we can give it three readings, we could handle that...

Service Director Reinsmith: We could go ahead and get it contracted and get going. Thank you, Mr. President.

President Ertel: Thank you, Larry. Safety Director?

Safety Director – In the absence of Safety Director Nick Babb, there was no report.

Reports:

A motion was made by Wells and seconded by Jaehnig to approve the Auditor-Treasurer– April 2008 and the Hotel Lodging Tax Report – 1st Quarter 2008 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. If you would, please approach the microphone/podium with your name and address.

Seeing no one else who wished to speak, President Ertel asked for a motion to adjourn.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in special session on Wednesday, May 21, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

President of Council – Fred Ertel: Finance Committee? Sandy?

Finance Committee – Chairperson Sandy Mongold: We have several items. The first item is an ordinance making supplemental appropriations. That is a carry-over from the last meeting.

A motion was made by Mongold and seconded by Popp to suspend the rules and give the second and third reading on the ordinance Making Supplemental Appropriations. Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

President Fred Ertel read the ordinance by title only.

A motion was made by Mongold and seconded by McKay to pass the ordinance as read. Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4763 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance making miscellaneous transfers. It too is a carry-over from last week's meeting.

A motion was made by Mongold and seconded by Popp to suspend the rules and give the second and third reading on the ordinance Making Miscellaneous Transfers. Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

President Fred Ertel read the ordinance by title only.

A motion was made by Mongold and seconded by Peterson to pass the ordinance as read.

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

Motion passed.

President of Council declared Ord. No. 4764 passed as read.

Councilwoman Mongold: The third item tonight is a new ordinance making supplemental appropriations. We have two items. Are there any questions?

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

Motion passed

President Fred Ertel read ordinance by title only.

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

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

President Fred Ertel read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4765 passed as read.

Councilwoman Mongold: That is all. Thank you.

President Ertel: Thank you.

Water Committee – Chairperson Mike Wallace: Yes. We have to address an ordinance to authorize our Public Service Director to contract – to actually hire a contractor for the southern loop. I guess they already put out to bid. We need to get the next step done and get a contractor. Are there any questions?

President Ertel: Okay. Has this gone through the Water Committee?

Councilman Wallace: It has gone through Water Committee.

President Ertel: Excellent.

A motion was made by Wallace and seconded by Peterson to give the first reading only on the ordinance Authorizing the Director of Public Service to Contract for a Water Line Construction and Improvement Project Known as the “Southern Loop” Project and Declaring an Emergency.

Motion passed

President Fred Ertel read ordinance by title only.

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

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

President Fred Ertel read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4766 passed as read.

President Ertel: Anything else?

Councilman Wallace: No, Mr. President.

President Ertel: Thank you. Judiciary?

Judiciary Committee: Chairman Mark McKay: Yes. This is also a carry-over of a first reading that we had at the last meeting. It has to do with repealing the requirement for residency of the employees of the Service Department. Are there any questions?

A motion was made by McKay and seconded by Peterson to suspend the rules and give the second and third reading on the ordinance Repealing Sections (C) and (D) of Chapter 133.11 of the Codified Ordinances of the City of Wilmington, by title only.

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

President Fred Ertel read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4767 passed as read.

Councilman McKay: That is all I have.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Don Wells: Mr. President, Item A – we had the first reading at the last meeting. I would like to have the second and third readings on a resolution accepting grant proceeds. Are there any questions or discussion?

A motion was made by Wells and seconded by Jaehnig to suspend the rules and give the second and third reading on the resolution Accepting Grant Proceeds.

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

President Fred Ertel read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2082 passed as read.

Councilman Wells: Item B tonight is three readings on a resolution accepting a gift. This is from Fort Dodge Animal Health for our K-9 Police Dog. Are there any questions?

A motion was made by Wells and seconded by Jaehnig to give the first reading only on a resolution Accepting a Gift.

Motion passed

President Fred Ertel read resolution by title only.

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

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

President Fred Ertel read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2083 passed as read.

Councilman Wells: That is all, Mr. President.

President Ertel: Thank you very much.

Reports:

A motion was made by Wells and seconded by Peterson to approve the Additional Hotel Lodging Tax Report – 1st Quarter 2008 as received.

Motion passed.

Reports accepted as received.

President Ertel: Are there any other issues to come before 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 McKay and seconded by Peterson to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, June 5, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Popp and seconded by Jaehnig to approve the minutes of the last regular meeting, May 15, as received.

Motion passed.

Minutes approved as received.

A motion was made by Jaehnig and seconded by Wells to approve the minutes of the special meeting, May 21, as received.

Motion passed.

Minutes approved as received.

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

Mayor Raizk: Thank you, Mr. President. If I seem harried, I am. Obviously, the events of this last week, and I guess it has been just about a week, are very unsettling to our community. I just want folks to know that we are working very hard. I came back from Germany on Thursday and have hit the ground running ever since and haven't stopped yet. We are working on every angle that we can, and we have enlisted the help of all of our elected officials and legislators – from the Governor, the Lieutenant Governor, Congressman Turner, Dave Daniels of course, and John Carey, Senator Sherrod Brown and Senator George Voinovich – I have been in almost daily contact with most of them. We have been working very hard. You saw the announcement of the task force that the Lieutenant Governor and I are co-convening. He won't always be there, but he has lent all of his authority and help to that. We will have our first meeting Tuesday, and we will try to craft out an agenda that we will then make public as soon as we get it to show you what we are doing. There are so many issues out there, and I know you hear a lot of rumors and so forth, but this is of grave concern to our community. The numbers of direct employees, I think we've talked about those numbers, and then the indirect, and then all of us in business and education and so forth – I don't think there is anyone who is not impacted. One of the things that I have really thought about today more than others is that we really can't think of this problem in terms of a problem just since 2003-2004 with the announcement of DHL moving here. We have to remember that ABX and those businesses have been here for 25-plus years now, almost 30. So the economy that has grown up here has grown up in a very nice and controlled growth environment over those last years. We are really looking at upsetting a fabric that's not three or four years old, but 30 years old. That really dawned on me today – that it's not just about that. So we really have to do everything we can for job retention and at the same time we need to pursue some parallel strategies to take this asset of the Wilmington Air Park and create a successful and sustainable business model of an intermodal transportation hub and start thinking... As someone said to me today, "You know it's not thinking outside the box; it's a brand new box." We can't think outside of the box; we just got to make a new box. I think that's very true. I am doing everything I can. I know I have all of your support, and I appreciate everybody's help. We'll continue to lean on you in the future. We have a lot of work to do, and it's an uphill battle. I think there are a lot of questions that remain unanswered, and we're going to try to get answers to those questions and see where we go from here. But we are moving and we are trying to make something happen, so that is all I need to say. Thank you.

President Ertel: Thank you, Mr. Mayor. Moving into committee reports. Asset, Acquisition and Use?

Asset, Acquisition and Use –Chairperson Sandy Mongold: We do have an item tonight, and it is an ordinance authorizing the Mayor to enter into an annexation agreement. This is the Steinkolk property. What I am asking – we are asking for three readings, but we are not asking for them as an emergency. Yes?

Councilwoman Peterson: I did not have a map attached to this. Is there a map attached to anyone's.

Mayor Raizk: There probably isn't attached. This is a little different than the prior because this is not an expedited annexation. That map is actually before the court, but if I can describe the property to you a little bit.

Councilwoman Peterson: Yes. If you don't mind.

Mayor Raizk: This is the property on the east side of 73. Once you get past Wal-Mart, none of that is in the City on that side.

Councilwoman Peterson: Right.

Mayor Raizk: This cleans up the rest of the road. We have a portion of the road all the way down to Airport Road. Then this farm lays in behind that and comes around behind where the Wal-Mart is and across all the way up to Starbuck Road is part of this process. The bypass goes through the heart of this, and this was one of the reasons that we worked out the Maintenance Agreement with the State of Ohio, too, so that there wouldn't be any question about annexation on both sides of the road, you know, whether the road is in or not, so there wouldn't be any [inaudible for transcription].

Councilwoman Peterson: Is there anything, then, on that side that is not included in this annexation agreement.

Mayor Raizk: On that side of 73 down to there?

Councilwoman Peterson: Yes.

Mayor Raizk: No.

Councilwoman Peterson: At one point there were a few...

Mayor Raizk: There are, but the reason is, Cindy, that this is one of those majority property owner annexations, the traditional type that we used to use, and so those properties are coming in. They are not necessarily signatory, but they're coming in. There is one piece of property that will not be coming in. This is a property on the other side of the golf course that would be adjacent to the road. I think we've had this discussion about the Sepela property because they are in litigation with the State about access. We thought it best not to include them at this time in annexation because we can't guarantee them access when the road goes in and so forth. They really need to get their access through the adjoining properties, like towards the bowling alley and...

Councilwoman Peterson: Yes. I remember those ones...

Mayor Raizk: You remember that?

Councilwoman Peterson: Oh, yes.

Mayor Raizk: So that one piece in that corner is not coming in at this time, until such time as the overpass gets built and we can see what the access is going to look like.

Councilwoman Peterson: Okay, great. Thank you.

Councilwoman Mongold: Thank you.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Authorizing the Mayor to Enter Into an Annexation Agreement.

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4768 passed as read.

Councilwoman Mongold: That's all. Thank you.

President Ertel: Okay. Thank you. Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We do. We have an ordinance making supplemental appropriations, and we just have two small items. The first item we are just appropriating the donations we received from Wal-Mart and Fort Dodge. The second item is the grant we approved at the last meeting.

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

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4769 passed as read.

Councilwoman Mongold: Thank you. I would just like for the Finance Committee to stay for a few minutes after the meeting because we need to schedule a finance meeting. Thank you.

President Ertel: Very good. Thank you. Water Committee, please?

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

President Ertel: Thank you. Streets?

Street Committee – Chairperson Peterson: We do have a meeting scheduled June 25 at 5 p.m. Other than that, I have no report.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President. I have no report.

President Ertel: Thank you. Wastewater/Sewer?

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

President Ertel: Thank you. Judiciary?

Judiciary Committee: Chairman Mark McKay: No report.

President Ertel: That's got to be a record – no Judiciary...since Hockaday has left.

Councilman McKay: We had some but we decided to take it off just to expedite the meeting a little bit.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Don Wells: Mr. President, I have no report tonight.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold: I would like to remind you that the Brown Bag Lunch has started, every Thursday in June and July from 11:30 to 1:00. We have great entertainment. Also June 27 is going to be the Jazz and Wine Festival in the Mural parking lot. Please mark your calendars for that; we would like to have a large crowd. Thank you.

President Ertel: Very good. Thank you. Parks and Recreation Committee?

Parks and Recreation Committee - Convener Mike Wallace: Mr. President, I have one item for this evening. For about two years now, we have been trying to get this Judy Gano Trail through the park. I think we're going to get it done. But in dealing with the Department of Transportation of the State of Ohio, we still need to clean up some homework. We need to file a resolution to get this back to them to get all the grant monies processed and those types of things. Are there any questions about this before I make a motion? Is everybody pretty much up to speed on it?

A motion was made by Wallace and seconded by McKay to give the first reading only on A Resolution Authorizing a "Final Resolution" with the Ohio Department of Transportation to Construct a 10-Foot Wide Bike Path from the 4-C Bicentennial Trail to Rombach Avenue Tying into the Lowes Drive Bike Path, to be Known as the Judy Gano Trail.

Motion passed

Director of Law read resolution by title only.

Law Director Kathryn Hapner: Mike, I do have one question for you. In the second paragraph it says "Whereas this project consists of the addition of 2.356 feet. Shouldn't that be 2,356 feet?"

Councilman Wallace: I think the addition of that from where we started in '06 (I may stand corrected), but I believe we had to reroute that little bit through the park?

Law Director Hapner: I know that, but I mean it's not really just two feet is it?

General Discussion about comma placement.

Councilman Wallace: Do I need a motion to amend this?

President Ertel: Please.

A motion was made by Wallace and seconded by Peterson to amend the resolution to add the comma in paragraph 2.

Motion passed.

Resolution amended.

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

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

Director of Law read the resolution by title only.

A motion was made by Wallace and seconded by Popp to pass the resolution as read.

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

Motion passed.

President of Council declared Res. No. 2084 passed as amended and read.

President Ertel: Thank you. Service Director?

Service Director- Service Director Larry Reinsmith: No report.

President Ertel: No report? Safety Director?

Safety Director – Nick Babb: Tuesday evening was an interesting evening for all of us here not just in Wilmington, but in Clinton County. I am pleased to report this evening that the money you all invested in the tornado warning system a few years ago – if you recall, we went with a battery-operated system instead of the total electric system -- and it worked well. To give you an example, Denver Addition was without power for several hours, yet the sirens continued to function because they operate off of batteries. They're either charged by solar panels or they are charged by electric, but they don't operate off of either when they're activated, so it worked really well. We had a lot of siren activations because we had a lot of tornado warnings from the National Weather Service. With that came one problem at dispatch, and I would like to ask the public's cooperation. We had almost 300 calls during this time period. We called in two extra dispatchers to help. A lot of people called wanting some general information. In between those calls, we had EMS runs, we had police emergencies, and we had fire runs. In some cases, we had to just disconnect the call when we knew it was not an emergency call because we had other 9-1-1 calls. I would ask the public when the sirens are activated to turn on your radio, turn on your weather radio. I happened to be listening to the Reds ballgame Tuesday evening and I got the information off of WLW from the National Weather Service about Clinton County. They gave specific information as to where these funnel clouds were. That's the same information that we have in dispatch. So either through a weather radio or just an AM radio, hopefully everyone has one with batteries, please don't call dispatch unless you have an emergency because we were just overwhelmed with phone calls. But the system worked, and that's the most important thing. The last component, ironically, of our tornado system will be installed at the Air Park in probably two weeks. Any questions for me? Yes, Mike.

Councilman Wallace: Yes. I have a couple. If a tornado warning is issued and the siren goes off, does it play only once or does it play every 15 minutes...?

Safety Director Babb: It plays once. It goes off once, and then when we get another warning (because there were multiple funnel clouds sited either by police, fire or the National Weather Service) they are activated each time. That is why it went off several times.

Councilman Wallace: It seemed to go off every 20 minutes; that's why I was wondering?

Safety Director Babb: No. Mike, how many times did we set that off? Do you know?

Chief Hatten: Well, I know we set it off four times.

Safety Director Babb: Then it went off again about 12:30 in the morning, something like that, 1:00.

Councilman Wallace: Was there an all-clear sign. Did we ever get that?

Safety Director Babb: We sounded that about....

Chief Hatten: 10:30 the first time.

Paul Hunter: How do we know that? What is the all-clear sign?

Safety Director Babb: It's a high level (mimicking siren sound).

Councilman Wallace: I thought I heard that, but I wanted to make sure that that wasn't just a different kind of warning.

Safety Director Babb: Uh, no.

Mayor Raizk: It sounds like the police sirens they have in those foreign movies.

[General Banter]

Safety Director Babb: Most importantly, the system did work, and I thank Council for investing the money. We spent a lot of money on this system and we've had to tweak it. We've had to get a new radio toning system, but it worked. It worked when there was no power in the City in several neighborhoods, and that is the most important thing.

Councilman Wallace: That's what is important, because I didn't have a battery-operated radio. My family hits the basement, you know. We're sitting down there and saying "How long is this going to last?" "When do we get out?" Then we thought we heard the all-clear. "Is that what that is or not?"

Safety Director Babb: If you looked at your computer or your weather radar, the storms were just marking across the state right through our county, just one right after the other. It was really strange.

Councilman Wallace: You know, we didn't have electric so we couldn't do that.

Safety Director Babb: Buy a battery-powered radio. Thank you.

President Ertel: Just one comment. A couple of discussions with people about how many times they went off. It said it disturbed them so much. I said, "Well, can you afford not to take advantage of the siren?" If it goes off, take cover, because if you think it is a joke, you may get wiped out. Pay heed to it. Take advantage of the technology.

Reports:

A motion was made by Wells and seconded by Peterson to approve the Income Tax Report – May 2007 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. If you would, please come to the podium and state your name and address for the record.

Councilwoman Peterson: While we're waiting, I just want to take this opportunity to welcome Jessie Mass. She is here tonight working on her 4-H leadership project.

[Applause]

President Ertel: Welcome.

Mayor Raizk: No, you don't get off that easy. You have to tell us about your project. Didn't they tell you there was like a 10-page report?

Councilwoman Peterson: Sorry, Jessie.

Jessie Mass: It's just a leadership club in 4-H. I have to do a few activities and do a poster to take to the fair. This is one of the activities I chose.

President Ertel: Good. Excellent. Welcome.

Councilwoman Peterson: As a warning, I'm going to be taking some pictures after the meeting with Jessie. She might want to use them for her poster. So, consider yourself warned.

President Ertel: Thank you. One of the things that was laying in my area here was in regard to the landfill meetings, the Ohio EPA and so on and so forth. Many of you have been coming to those meetings and whatnot. Most of those informational sessions have been just members of council and whatnot. They are wanting to know if we can hold one in our meeting. I think it makes good sense. That way, we don't have to schedule another meeting. If everyone is in agreement with that, I will go ahead and have that set up on the next meeting. Would that be appropriate?

Councilwoman Peterson: That would be great.

President Ertel: We don't need a vote, just thinking ahead.

Councilman Wells: As I understand it, this can be an informational meeting in conjunction with a public hearing, right?

President Ertel: Yes, that is correct.

Councilman Wells: Okay.

President Ertel: So, good. Let's go ahead. We'll do that. Are there any other persons?

Councilman Wells: I'd like to just say that – I would like to make sure the Mayor knows that he has my support and the Task Force has my support in saving our jobs. I wish you all the best.

Mayor Raizk: Thank you. I appreciate that, Don.

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 McKay and seconded by Wallace to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, June 19, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

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

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Wells to approve the minutes of the last regular meeting, June 5, as received.
Motion passed.
Minutes approved as received.

President of Council – Fred Ertel: We would like to have a second public hearing on the CDBG Formula for FY 2008. Whitaker?

Whitaker Wright of CDC of Ohio: Good Evening, Ladies and Gentlemen. Tonight we're having our second public hearing on the fiscal year 2008 Community Development Block Grant program for the City of Wilmington. Wilmington's allocation is \$50,000. The City is proposing to commit \$40,000, its work budget, to install approximately 23 handicap curb ramps in the City. As some of you know, several years ago, the City undertook a program to begin installing handicap-compliant curb ramps in Wilmington. In the last eight years, it has installed over 100 ramps in the City. The idea originally was to begin with the center of the city and work its way out. In 2000, it began installing ramps at intersections in the downtown area. In 2001, it started to focus on the main thoroughfares in the city. In 2002, 47 ramps were installed at the intersections near schools, and in 2006, the city installed ramps near the Friendly Center Apartments. As the City was looking at how to spend funds this year, in February the City received a petition from Ms. Stiek, and she included a request for herself and a number of ladies in the City who use scooters to maneuver through the City. She had a very thorough list. Before I go through that, I believe she would like to say a few words.

Pat Stiek: First, I want to tell you how much we do enjoy the bike path because to us that is our back yard. That is how we can get out of our apartments and to the kind of places [inaudible for transcription]. Most of the streets would be accessible if the people who owned the places would take care of the places. We have to get around trashcans and things like that. That wouldn't cost the city any money. I don't know how it is supposed to be enforced or whatever. People parking across the sidewalks and stuff; it wouldn't cost the city any money, but it would be of great help to us. The railroad track that we have to cross to get to the bike trail and some of the alleys, like Cashman Lane is so bumpy that it is very hard to get the scooters around. Eventually, that would probably need fixed. But as he was saying, the ramps to get on and off, especially in Peterson Place, would be fantastic. That kind of stuff would be great for any of us, because there are a lot of people with electric chairs that don't have the front to save them, I guess or whatever, that could get around if the bike trails were extended and the ramps were in. They just can't get out and about right now. I think that is about all.

Clerk Laura Curliss: Did you have some photographs?

Pat Stiek: Yes, I had photographs.

Whitaker Wright: Pat has provided us with photographs....

President Ertel: Just one question. Do some of the other young ladies have anything to say?

Unidentified Female: No, thank you.

Whitaker Wright: Pat provided us with a number of additional photographs this evening. Last month we evaluated the list that Pat and her friends put together and we made several recommendations and are working with the Service Department. Peterson Place is number one. Cashman Alley – the City thinks that that can be done with their normal paving budget and that is on the list. The intersection at Wayne and Locust – we looked at pretty carefully – and it is going to require some significant engineering because that is such a strange intersection. The signals have to be evaluated to make sure that as you cross it coming west to try to get into that physician's complex, you're not being blindsided by somebody making that U-turn. Also a couple of those storefronts have turned what was a sidewalk really into just a driveway and that has to be rebuilt. We have been in contact with the railroad. We have asked them to price the rubber mats that you mentioned. We have also looked at and noted the sidewalk repairs along Grant, in particular Main and Locust, and as we were talking earlier, what I would like to do after the public hearing is to sit with you and just a map of the city and identify specific intersections you are very interested in having repaired. Ideally, we will be installing about 23 ramps with our budget this year. The remaining funds -- \$2500 will be used for the annual Fair Housing Program, and \$7500 will be used for administration. I open the floor to questions.

President Ertel: Are there any questions? Thank you so much. At this time, I would like to close the public hearing if there are no other comments then. Would you like to sit with these young ladies right after this meeting? We should be relatively quick.

Whitaker Wright: Yes. I'm going to wait.

President Ertel: Very good. That sounds great. Thank you so much. Status or comments on the 2008 CHIP – is there anything on that?

Whitaker Wright: I have notified Laura and the Mayor. This year's CHIP program applications are going to be extremely competitive. In a normal year, the State receives 70 applications. This year, they received between 86 and 88 applications, and the state's funding has been cut to only \$27,000,000, so they will be funding 54 applications. Laura just wanted me to update council on that.

President Ertel: Very good. Are there any other additional questions?

Councilman McKay: Do we feel good about being in the running?

Whitaker Wright: I think at this point, no one knows. The community distress areas, counties with significant populations (60% and over), are probably going to get priority. We just don't know. The State has been very tight-lipped about it. As local budgets have been cut substantially, I know that the governor's office, my understanding is that they've worked with the Development Director's Office, and my suspicion is they'll probably have a list based a lot on distress points. Also I was reminded just to give an update on the Little Giant Project. At this time, we have bid the project twice. We got a bid the second time for \$175,000. The architect's estimate was \$98,500. The architect has made some changes to the project. The architect simplified some of the interior work. In an interesting recommendation, to actually turn the building 90 degrees so that it will face South Street and improve the streetscape for the overall city. What the architect is working on now is to finish the drawings up so that the exterior of the Little Giant will look like the original building and focus on retaining the brick patio, installing appropriate landscaping that the city would like to see on the property, along with the improved parking lot so that it fits into the whole streetscape program in that area. I would note, hopefully one advantage of actually moving the building is people would be able to see all of the Coca-Cola sign that is there now.

President Ertel: Okay. Are there additional questions or comments? Thank you so much.

Whitaker Wright: Thank you.

President Ertel: Okay. At this time, you have probably noticed that the Mayor's portion has been pushed down to the bottom end of the agenda – not because of lack of importance but because he is not here. He will be here in a few minutes though, so that is why he will have his portion down there. So at this time, I would like to go into Asset, Acquisition and Use.

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

President Ertel: Okay. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: Yes, we have several items this evening. The first item is an ordinance making supplemental appropriations. We have three items before you. Are there any questions?

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Supplemental Appropriations.

Motion passed.

In the absence of the Law Director, President Ertel read ordinance by title only.

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

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

President Ertel read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4770 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance making miscellaneous transfers. There are two items.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

President Ertel read ordinance by title only.

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

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

President Ertel read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4771 passed as read.

Councilwoman Mongold: The third item tonight is a resolution requesting the fiscal officer to certify as to the estimated maximum maturity of bonds and notes, and declaring an emergency. This is all in reference to the Lowes and Davids Drive Bonds. We are paying down approximately \$520,000 that we did not use for Davids Drive. The note will then go from \$1,235,000 to \$715,000. So, both items "C" and "D" relate to that particular item.

A motion was made by Mongold and seconded by McKay to give the first reading only on A Resolution Requesting Fiscal Officer to Certify as to Estimated Maximum Maturity of Bonds and notes, and Declaring and Emergency.

Motion passed.

President Ertel read resolution by title only.

A motion was made by Mongold and seconded by Popp 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; Popp, yes; Mongold, yes; McKay, yes. President Ertel read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No.2085 passed as read.

Councilwoman Mongold: The last item tonight is an ordinance authorizing the issuance of the bond anticipation notes of the City of Wilmington in a principal amount not to exceed \$715,000 for the purpose of discharging at maturity (together with available city funds) bond anticipation notes issued pursuant to Ordinance No. 4689, and declaring an emergency.

A motion was made by Mongold and seconded by Popp to give the first reading only on the ordinance Authorizing the Issuance of Bond Anticipation Notes of the City of Wilmington in a Principal Amount not to Exceed \$715,000 for the Purpose of Discharging at Maturity (Together with Available City Funds) Bond Anticipation Notes Issued Pursuant to Ordinance No. 4689, and Declaring an Emergency.

Motion passed

President Ertel read ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. President Ertel read the ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Ord. No. 4772 passed as read.

Councilwoman Mongold: That is all. 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: No report, Mr. President.

President Ertel: Okay. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President, I have no report this evening; however, I would like to remind the citizens to use our blue recycling bags to help save our landfill. That is all.

President Ertel: Okay. Thank you. Wastewater/Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: We have a couple of items tonight, Mr. President. The first item has to do with the resolution authorizing the Director of Public Service to begin construction on the Darbyshire Drive project, and declaring an emergency. All our council members were present at both Wastewater/Sewer and Judiciary, so I would expect very few questions, but if anybody asks any, I'll make sure to try to answer.

A motion was made by McKay and seconded by Mongold to give the first reading only on A Resolution Authorizing the Director of Public Service to Enter into a Contract for the Construction of the Darbyshire Drive Sewer Line Rehabilitation Project and Declaring an Emergency.

Motion passed

President Ertel read resolution by title only.

A motion was made by McKay 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; Popp, yes; Mongold, yes; McKay, yes. President Ertel read the resolution by title only.

A motion was made by McKay and seconded by Mongold to pass the resolution as read. Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No. 2086 passed as read.

Councilman McKay: The second item is to authorize the advertising for bids for the sewer line in the vicinity of Sugar Grove Cemetery, and contracting, and declaring an emergency. Questions?

A motion was made by McKay and seconded by Mongold to give the first reading only on A Resolution Authorizing the Advertising for Bids for the Rehabilitation of Sewer Lines in the Vicinity of Sugar Grove Cemetery, for the Contracting for Same, and Declaring an Emergency.

Motion passed

President Ertel read resolution by title only.

A motion was made by McKay 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; Popp, yes; Mongold, yes; McKay, yes. President Ertel read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No. 2087 passed as read.

Councilman McKay: That is all I have under Wastewater/Sewer.

President Ertel: Very good, let's move to Judiciary Committee.

Judiciary Committee: Chairman Mark McKay: Under Judiciary, we had the first reading on Ordinance 1709.02, which has gone through a lot of vetting. The police have helped with this, our code enforcement people have worked on this, our service department, and I think this was pushed along by Councilwoman Cindy Peterson. I will give her some credit for that, even though she is not here tonight, but this is a real important thing that she has championed. It has to do, of course, with some legislation to clean up properties of abandoned vehicles. Are there any questions?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Amending Chapter 1709.02 of the Codified Ordinances Regarding Abandoned, Junk or Unlicensed Vehicles.

Motion passed.

President Ertel read ordinance by title only.

McKay requested that the second and third reading be on the Agenda for the next meeting, unless there happens to be any concern with it.

Councilman McKay: The next item is a resolution authorizing the Mayor to enter into an agreement with the DWCIC to amend a certain UDAG loan to the DWCIC authorized by Resolution No. 2029 and Declaring an Emergency. This basically is to increase the loan for one of the buildings that the DWCIC owns. This appears to be the easiest way to accomplish that. Are there any questions regarding that?

A motion was made by McKay and seconded by Jaehnig to give the first reading only on a resolution Authorizing the Mayor to Enter into an Agreement with the Downtown Wilmington Community Improvement Corporation to Amend a Certain UDAG Loan to the DWCIC Authorized by Resolution No. 2029, and Declaring an Emergency.

Motion passed.

Upon her entrance into the meeting, Director of Law Kathryn Hapner read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Director of Law read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No. 2088 passed as read.

Councilman McKay: The next item is a resolution authorizing the application for the Small Cities Community Development Block Grant, (CDBG) Formula Program, and declaring an emergency.

A motion was made by McKay and seconded by Jaehnig to give the first reading only on A Resolution Authorizing the Submittal of an Application for the FY 2008 Small Cities Community Development Block Grant (CDBG) Formula Program and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Director of Law read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No. 2089 passed as read.

Councilman McKay: The last item is a resolution accepting a gift for the Economic Task Force. Are there any questions on this?

Councilman Jaehnig: I'm sorry, Mark, what is this?

Councilman McKay: It was a gift of a banner and various things that were used in our booth for the thing we had at the Banana Split Festival.

Councilman Jaehnig: Yes.

A motion was made by McKay and seconded by Jaehnig to give the first reading only on a resolution Accepting a Gift.

Motion passed.

Director of Law read resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Director of Law read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No.2090 passed as read.

Councilman McKay: That is all I have, Mr. President.

President Ertel: Thank you so much. Safety Committee?

Safety Committee- Chairperson Don Wells: Mr. President, I have one item tonight – three readings on a resolution accepting a gift for police exercise equipment. This is a \$1000 donation from Wal-Mart. Are there any questions?

A motion was made by Wells and seconded by Mongold to give the first reading only on A Resolution Accepting a Gift.

Motion passed.

Director of Law read resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Director of Law read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No. 2091 passed as read.

Councilman Wells: That is all, Mr. President.

President Ertel: Thank you so much. Okay, Downtown Revitalization?

Downtown Revitalization Committee - Convener Sandy Mongold: Just a reminder of the Brown Bag Lunches every Thursday in June and July from 11:30 to 1:00. Also Friday night, June 27, we're having the Jazz and Wine Festival in the Mural Parking Lot. It starts at 5:00, but the music will actually start at 7:00. It should be a lot of fun. That is all.

President Ertel: Very good. Thank you. Parks and Recreation Committee?

Parks and Recreation Committee - Convener Mike Wallace – Mr. President, it is a very busy time of the year for the Parks Department. We had a busy weekend last weekend and we've got one coming up this weekend, with just a wonderful theme. Our community has done a great job supporting the Relay for Life and our Cancer Project, so I encourage everybody to get out to that. I think Scott has done a great job of keeping our piece of ground clean and usable, because he gets a lot of wear and tear out there through the summertime. They do a great job and I just wanted to say that. That's all I have.

President Ertel: Thank you. Just a comment – the softball tournament you had with the young ladies – that was phenomenal.

Councilman Wallace: It was good, wasn't it?

President Ertel: That's right.

Geoffrey Phillips: It would be nice to see more of that. It was well organized.

President Ertel: Tremendous.

Geoffrey Phillips: It brought a lot of people into the community.

Councilman McKay: There was a comment by one of the folks who attended that, and I'm not sure who to attribute it to now. But they said it is one of the nicest places they have ever played and they were treated very well, so I think that says a lot for our community and our parks department.

Geoffrey Phillips: I actually had an umpire make that comment. I was over and watched a few games. I walked out with one of the umpires, a lady, and she said that she had umpired down in Cincinnati where this tournament I guess is normally held, and she says this is much nicer and the complex was just really nice – all of the diamonds being in close proximity to one another.

Leilani Popp: I know talking with some of the organizers that they definitely want to come back next year. It will be bigger and better.

President Ertel: Very good. Thank you. Service Director:

Service Director- Service Director Larry Reinsmith: No report. On the tournament, it brought a lot of business in town. I saw lots of people going up and down Rombach walking to Wendy's or McDonalds. The hotels were filled. I know I talked to people from Mason. They spent the week. It was a nice outing for the family – you know – like a mini vacation. They stayed up here in Wilmington and they just had a great time. So it does a little for the economy of the city.

President Ertel: Very good.

Service Director Reinsmith: A comment on the tennis courts, Mike. They seem to be about a month behind.

Councilman Wallace: A whole month?

Service Director Reinsmith: I think so. I was just counting here. There were 36 days they could have worked now, but they have worked 22. We've had a lot of rain. I know we've had a problem with compaction and water and moisture content, but I think they could have been here a lot more – the contractor.

Councilman Wallace: Is there a solution?

Service Director Reinsmith: It's just going to cause a delay. It's going to be done right.

Councilman Wallace: I think on that, David Allen is out there every day checking that. I really appreciate that, because he is going to demand excellence and that is what we want. We want it done right. Representing the City School District, you know we want it now, but we also want it built properly. I think Dave is going to do that. We really appreciate the respect that he is giving that project. There is a lot to do. He's got a lot on his shoulders this summer, and we really appreciate his being diligent and staying on that.

Service Director Reinsmith: Well, we hope they'll last a long time. Right, Mike?

Councilman Wallace: All of us do.

President Ertel: Very good. Safety Director?

Safety Director – Nick Babb: Mr. President, I have just a couple comments. The final tornado warning system, siren that is, will be installed at the Air Park on Tuesday or Wednesday of next week. That will complete our system. I also want to congratulate Mike and Scott on the Softball Tournament. Although, my personal experience wasn't that good. My wife and I pulled in to watch one of the games and were there about two minutes and our car got hit by a foul ball.

Law Director Kathryn Hapner: Maybe you shouldn't have parked so close.

Nick Babb: You know there was one spot and I pulled in there. Now I know why no one was parking there.

[Laughter]

Nick Babb: Our final two police cars are in and we hope to have them on the road yet this month.

President Ertel: Excellent. I have had a lot of comments about them. They're Chargers, right?

Law Director Kathryn Hapner: Those are nice.

President Ertel: Those are superb. I have had a lot of very good comments from citizens about those. They say they are very sporty and I said, "They're quite fast, too, so don't try to outrun them."

[Laughter]

Nick Babb: Assistant Chief Weyand is the guy who engineered this, and that's all to be credited to him. He is the mastermind behind the new cars.

President Ertel: Well, very good. Thank you. At this point, I would like to open the meeting up to the Mayor. He's sitting way in the back. If you would like to address council back there, I think that would be only fitting.

Mayor Raizk: Thank you, Mr. President. I'm sorry I was late and I didn't want to come up front and disrupt the meeting. Just a brief update. First of all, I want to echo what you all said about the softball tournament. It was outstanding. I also want to extend appreciation to the Wilmington businesses who really took it upon themselves to make everybody feel welcome. I know Krogers and every place I went there was a sign – "Welcome," and I thought that was a great outpouring. Also, to echo about the new cruisers, I think they look great. Our assistant Chief Weyand, really this was his project and he did a great job. He really hit the ground running with this job when he first came on, and I think it was important to do that. I also want to compliment – I did find out – I love the new graphics, and I think Sgt. Ron Fithen was responsible for helping with the design and getting that new graphic. I want to compliment him also, because they're really good.

Mayor Raizk: Just a brief update, where we are since we last met. As far as the Economic Task Force goes – I know we have been meeting. I really want to say publically, the support we have gotten from everybody – the Governor, the Lt. Governor, Congressman Mike Turner, our local representatives Dave Daniels and State Senator John Carey, everybody has been there right with us. Every available resource that we possibly could have. Our two senators, George Voinovich and Sherrod Brown. Sherrod I was on the phone with today. I believe he has contacted and we're trying to get some hearings on Capital Hill. I think that's a little bit of good news. We're at least getting that process hopefully started. He said, "Now, don't get your hopes up yet," you know. But, everybody has taken this to heart. They see it not only as a Wilmington problem but a regional problem, an Ohio problem, and ultimately a national problem. So I think it has gotten a lot of traction. I'm just so thankful that we really got started on this in a very quick manner. Normally, this kind of thing comes as a reaction to something that happens way down the line, you know, after people get laid off or lose their job or whatever it happens to be, so by that time, you know, the horse has left the barn. We are trying desperately to keep a horse or a pony or whatever, three goats and a dog anyway, in that barn. So I just want to say everything has been great.

Mayor Raizk: Many of you have been participating. We've been reaching out to many of you. Please do not feel left out. There is going to be a part for everybody to play as we move forward. It is just a matter of trying to assemble as many resources as we can, but do it in a manageable manner. The task force is a rather large group, but it is representative. We are also reaching out to a lot of professionals who are in this business. You'll be hearing reports in the future from folks that you may not have met before but who are experts and so forth. So I just want to let you know – we are meeting again on Tuesday at 9:00. In that time, subcommittees are either having conference calls or meetings, and we will have a meeting of the chairs on Monday so we'll have updates for the Task Force on Tuesday. We're trying to move ahead and not get too bogged down in administration. We're trying to get information out.

Mayor Raizk: Also, one of the things that we've decided, when the task force meets, we're going to disseminate that information as quickly as possible from the task force. We're not going to go with quotes and everybody in there and trying to vet the quotes. We always do that, and by the time you get done with everybody's office making sure that they were happy with that quote, it's 7:00 in the evening and Gary has already gone home. Well, he hasn't gone home -- he calls me at home and says I'm still here and I'm

still waiting, and that's not fair to the news media. Our goal is to have everything done to them and try to disseminate this information to the various media by 3:00 or 4:00 on that day so we can try to get this done. I've talked to all the senior elected officials that we're talking to that, and they don't have any problem with that process. They all believe that the work is more important than who said what and so forth. So I don't know if I said before, I went before two editorial boards I think before our last meeting. I have met with a third. I met with the Columbus Dispatch this last week. Very interestingly enough, they do have a business writer who is very up on this. Her area of expertise is airports and air, so there has been a lot of interest in this story. This is a very knowledgeable reporter, so I hope to see more coming out of the Dispatch. There was some concern in the beginning that there was [inaudible for transcription] from the Enquirer and Dayton Daily News and some of the other papers, but the Dispatch wasn't really covering this as well as the others. I think they really closed the gap, so we've been in contact. Really, that is all I have. Does anybody have any questions for me?

President Ertel: Just a comment, Mayor. All your hard work and also all of Laura's hard work, is well appreciated.

Mayor Raizk: Absolutely. Laura has been working very, very long hours. I'm asking her to do way more than I should. But she has been there every step of the way. Thank you for saying that for her. Yet, we still have to have council on Thursday night, so we still have to do that stuff. She has been doing all of this and not letting her other work suffer, too, so that is important. Thank you.

Councilman McKay: Mr. Mayor, you found time, on a personal note, to add someone to your family?

Mayor Raizk: Yes.

Councilman McKay: Does the new addition have a name?

Mayor Raizk: The new addition has a name. I am a grandfather, and I am excited about this. I am a grandfather of the newest offensive lineman in Hurricane history. Holden Frederick Wolfe. He was 8 pounds 8 ounces, and he was 22 ¼ inches long. Coach, I said O-line right off the bat. Now his father has other ideas, his father being a quarter back had other ideas, but I said O-line.

Councilman Wallace: His father ran like a lineman, though.

[Laughter]

Mayor Raizk: We'll tell him that. Yes. I'm very excited. There have been a lot of dark clouds hanging around us, but that is certainly is a great ray of sunshine.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by Jaehnig to approve the Auditor-Treasurer's Report – May 2008 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. If you would, please, come to the podium and state your name and address for the record please.

Councilman McKay: I just have an announcement, if I might. Close to home, in times of rising gas prices, there's going to be a great show at the Murphy tomorrow night. It is going to be a person that does just a wonderful impersonation of Jack Benny – for those of us who are old enough to remember Jack Benny. It is a great show. He, of course, uses a violin as a prop. It's affordable. I think the weather is going to be great for the show, because as most of you know, the Murphy does not have air conditioning, but I

think it is going to be okay tomorrow night. There are going to be tickets available. Call the theatre, stop in, call me, and we'll get you in at 7:30 tomorrow night.

President Ertel: Okay. Thank you. I would also like to remind everyone that on June 29 we're having 150-year celebration at Sugar Grove Cemetery and there are very few things in this world that are guaranteed and that would be one. Probably, we will all be visiting and/or residents at some point in our lives at Sugar Grove. So we invite everyone to Sugar Grove. A unique thing, we're going to have a 21-gun salute, obviously as we raise the flag, with Civil War reenactment people. As you know, they are firing single-shot muskets and then they have to reload, and that could be exciting. So there are seven of them, so it will take just a little bit of time to get our 21-gun salute done. They will be in costume. Then, throughout the cemetery, we are going to have different people stationed at unique and various locations. For example, the Fitzhugh and the Denver monuments. Those spires are quite unique for a cemetery of our size. Also, Potters Field. The public vault that you all see locked up with the bars and its dark inside, we will have a person stationed there also. Myself, I will be at Ellon Farron's mausoleum to tell about the very colorful person that Ellon Farron was and his exploits with the cemetery personnel, court systems, and lawyers. It is amazing when you actually read it back in the 50s. We'll be telling little stories and so on. It starts at 2:00 in the afternoon and runs until 4:00. Everyone is certainly invited for 150-year celebration.

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 Jaehnig and seconded by Wallace to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met on Thursday, July 3, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by McKay and seconded by Wells to approve the minutes of the last regular meeting, June 19, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: Now, getting to the second point, it looks like I have a lot of agenda items. How did that happened? I'm not sure. I would like to open a public hearing on amendments to Chapter 11 of the Codified Ordinances of the City of Wilmington. Would anyone like to speak to that?

President Ertel: Well, it looks like everyone is moot on that point, right? Okay. Very good. Laura, was someone here to present that?

Clerk Laura Curliss: No. It came from the Planning Commission.

President Ertel: It came from Planning?

Clerk Laura Curliss: Yes.

Mayor Raizk: Mike, did you want me to speak?

[Inaudible for transcription]

President Ertel: Please.

Mayor Raizk: All right, I will be glad to speak. Basically, this has been back and forth before Planning Commission. These are amendments that deal with Chapter 11 in the zoning code. We've added enforcement. We've added changes to the Design Review Board enforcement. I think many of the council members have been following this along through its process through Planning. So I think we finally got this down after our last meeting. We made a couple of final last brush-up changes. Planning Commission made a couple of changes that everybody seemed to be happy with. So I think really we have it pretty well in shape. It has been through Planning. It has been recommended unanimously by Planning Commission to forward it to the Council. I think most of your questions had been answered earlier. So that's it.

President Ertel: Very good. Any other comments or questions. If not, I will close the public hearing.

President Ertel closed the Public Hearing on Amendments to Chapter 11 of the Codified Ordinances of the City of Wilmington.

President Ertel: Okay, the next point on my Agenda is the first reading on an ordinance Chapters 1131 and 1133 of the Wilmington Codified Ordinances.

A motion was made by Peterson and seconded by McKay to give the first reading only on the ordinance Amending Chapters 1131 and 1133 of the Wilmington Codified Ordinances.

Motion passed.

In the absence of Director of Law, Jason Besser read ordinance by title only.

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

President Ertel: Next point, is a first reading on an ordinance amending Chapters 1139.06-07 (Board of Zoning Appeals) of the Wilmington Codified Ordinances. Discussion? Is there a motion?

A motion was made by Peterson and seconded by Jaehnig to give the first reading only on the ordinance Amending Chapters 1139.06-07 (Board of Zoning Appeals) of the Wilmington Codified Ordinances.

Motion passed.

Jason Besser read ordinance by title only.

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

President Ertel: The next point is the first reading on an ordinance adding Chapter 1160 to the Codified Ordinances of the City of Wilmington Creating the H-1 Zone (A/K/A the Wilmington Commercial Historic District).

A motion was made by McKay and seconded by Jaehnig to give the first reading only on the ordinance Adding Chapter 1160 to the Codified Ordinances of the City of Wilmington Creating the H-1 Zone (A/K/A the Wilmington Commercial Historic District).

Motion passed.

Jason Besser read ordinance by title only.

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

President Ertel: Point Number "F" is the first reading on an ordinance Adding Chapter 1169 to the Codified Ordinances of the City of Wilmington Creating the Stream and Riparian Overlay Zone.

A motion was made by Peterson and seconded by McKay to give the first reading only on the ordinance Adding Chapter 1169 to the Codified Ordinances of the City of Wilmington Creating the Stream and Riparian Overlay Zone.

Motion passed.

Jason Besser read ordinance by title only.

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

President Ertel: The final point is the first reading of an ordinance Amending Chapter 1302 Administration and Enforcement for Commercial Historic District; Design Review Board; Repealing Ordinances 2240, 2364, 2390, 3444, and Resolutions 666, 687, and Ordinances or Parts of Ordinances Inconsistent Herewith.

A motion was made by Peterson and seconded by McKay to give the first reading only on the ordinance Amending Chapter 1302 Administration and Enforcement for Commercial Historic District; Design Review Board; Repealing Ordinances 2240, 2364, 2390, 3444, and Resolutions 666, 687, and Ordinances or Parts of Ordinances Inconsistent Herewith.

Motion passed.

Jason Besser read ordinance by title only.

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

President Ertel: Any other comments or questions at this point on any of these that we have passed?

Councilman McKay: It's been a long time coming and I am glad to see them moving forward.

Councilwoman Peterson: Yes.

President Ertel: It's been a long process. Very good. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. A couple of things. First of all, last month some of you were able to go – and Councilman Wallace, we appreciate your efforts in the creation of a High School Hall of Fame. I have a couple of proclamations. When the event was moved up, we weren't able to get them done quite, but we still wanted to have the proclamations. If you would, get them to Coach Waddell and Coach Downing.

Councilman Wallace: Oh, sure.

Mayor Raizk: We still have to call them coach – always will. But we have a couple of proclamations: one for Paul Dean 'Oakie' Waddell and one for Gary Downing creating that Saturday June 14 was Paul Dean "Oakie" Waddell Day and also Gary Patrick Downing Day in the City of Wilmington. If you would distribute these to them, I would very much appreciate it.

Secondly, as you know, we've worked very hard and the Streets Committee has worked very hard and all the council folks to create a new parking scenario in the downtown. Those are the new signs, so everybody can take a look. These are going to be a little different than what we've had before. You see the "2 hours" – it stands out a little bit. It does have the hours of operation. The handicapped – and you all just passed that legislation recently – you'll notice that the handicapped sign will be there and underneath the tag, the \$250 sign, which is now the state law on enforcement in that area. Those will be on there. We decided to do them separately so that if the fine scenario changes, then all we would have to do would be to change the smaller part of the sign. The other signs we are going to mount – if you look at the width of that blue where it says \$250 – we are going to mount the normal parking signs that much lower so that Main Street (they have been working on logos) and DWIC – so that will allow us to put a logo sign above there when that comes about. This way, we will be able to go ahead as soon as we get those up and start our enforcement package. We are starting. I think Denny just got these in and we are starting to get them up as soon as we can according to the parking control map. Denny got these up to us. Then the red sign gives you those places where it will be permit parking, especially on lots. That is kind of a general sign. I think they look great and I think we should be happy with them. I wanted to get some examples up here to show you all what we are going to be doing. You could take a picture of them. We need a little publicity.

Councilwoman Peterson: We want to make sure that word gets out that we are going to be enforcing it.

Mayor Raizk: So that someone is not just taken by surprise that this is what is going on. So they are some different ones. Just a brief update on Task Force Activities. We have been working very diligently. I was in Columbus yesterday for most of the afternoon meeting with representatives of DHL who were appointed to meet with the Lieutenant Governor and myself and talking about at least trying... This is kind of a beginning scenario of what kind of mediation in terms of the people and so forth. We are just trying to get a handle on what they're thinking and so forth. We did realize, through that discussion, that the efforts (you may have an opinion about this), but we got a real loud and clear that the efforts and the noisemaking and whatever you want to call it, the saber-rattling, or whatever in terms of legality, anti-trust, and those kinds of things, are having an effect. It was kind of good to get a little feedback on that. They are hearing it loud and clear. It is a stinging sore point, so we did hear about that in the discussion. I guess that was a good thing. We still want to keep that pressure up as much as we possibly can. The longer we keep it a page-one story, the more we have a chance to reverse at least a portion of some of this or try to do some of this business here. They are

very sensitive to the page-one story. So I just wanted to let you know that. We will be having our next Task Force meeting at 9:00 on Tuesday. We had a Steering Committee meeting today at noon and assessing all of the things that are going on. We are working diligently every day to try to make something happen for the good of the community and the good of the people. That is all I have right now.

Mayor Raizk: Oh, I'm sorry. That's an old agenda – I'm looking off of the wrong one. You have before you something that we just kind of quickly added to the agenda tonight. I should have segued into this. This is "Save Ohio Jobs.com." This letter has been promulgated by the Teamsters, I believe, and many of you may have a chance to read it. I would ask that we have a resolution supporting the Coalition to Save Ohio Jobs, if that would be your pleasure. I am going to sign one of these letters, and it would be nice if the council would sign one with a resolution supporting it. You can see that coalition is talking about the jobs and restructuring and so forth. This is a resolution from the City Council that would support the efforts of the Save Ohio Jobs.

A motion was made by Peterson and seconded by Wells to give the first reading only on a resolution in Support of the Save Ohio Jobs Effort.

Motion passed.

Jason Besser read resolution by title only.

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

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

Jason Besser read the resolution by title only.

A motion was made by Peterson and seconded by Popp to pass the resolution as read.

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

Motion passed.

President of Council declared Res. No. 2092 passed as read.

Mayor Raizk: Thank you all very much.

President Ertel: Thank you so much on that. Now, would it be appropriate for each councilperson to sign their individual letter?

Clerk Laura Curliss: If they would like to do it individually, yes. I will send the resolution.

President Ertel: If they would like to do this individually and pass them on to Laura after tonight's meeting, that would be wonderful. Okay, I believe it is time to get into committee reports. First, Asset, Acquisition and Use?

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

President Ertel: Thank you. Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: Yes, we do have several items tonight; the first item is an ordinance creating a new fund. This is for the FEMA money that we were awarded from the blizzard of March 2008. We were awarded \$62,479, but they only pay out 75% of that, so what we will be receiving is \$46,859 and that will be distributed to all of the various departments that had a role [inaudible for transcription] that blizzard.

A motion was made by Mongold and seconded by Popp to give the first reading only on the ordinance Creating a New Fund, specifically FEMA money from the blizzard of March 2008.

Motion passed.

Jason Besser read ordinance by title only.

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

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

Jason Besser read the ordinance by title only.

A motion was made by Mongold and seconded by Popp to pass the ordinance as read.

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

Motion passed.

President of Council declared Ord. No. 4773 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance making supplemental appropriations. You have before you several items, including the transfer for the \$46,000. Are there any questions?

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

Motion passed.

Jason Besser read ordinance by title only.

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

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

Jason Besser read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4774 passed as read.

Councilwoman Mongold: The third item tonight is another ordinance making supplemental appropriations. This is from the General Fund to Demolition in the sum of \$35,000. Mayor, would you address that issue, please?

Mayor Raizk: Sure. When we first did the budget we were looking at several properties that have been under condemnation. Some came up quite quickly after we did the budget work, and we realized that we did not have enough money in there for demolition. We have done one house already, one on Doan Street, and one of the properties is down here at the corner of Spring and Locust that had the fire. That property is slated for demolition. The problem is it is quite a bit more expensive than what one would think. The least expensive bid we've had on that is about \$14,500. One of the problems with it is its proximity to the house next door, you know, so it has to be done in a very... and then the drop-off in the back. So, that is one that needs to go very quickly and so we realized that we had to -- and we have a couple of others that are in there -- so we just need a little extra money to get rid of some of these condemned houses that are sitting around waiting for this to happen.

Councilman Wells: Do you know off the top of your head there what the other two are?

Mayor Raizk: I'm trying to tell you right now. These are properties that have been vacant or condemned for a number of years. We've just finally gone through all the legal process to identify them. The one on Doan Street, you know, that has been there for a long time. This one here and I think there is one on Howard. I don't have that in front of me, but these are properties that are totally damaged beyond repair and are problems with the neighbors and everybody, so this is something where we are trying to get these things cleaned up as we all want and get them out of here.

Councilman Jaehnig: Well, I know the one on Locust and Spring, they have a continuous problem of trying to keep everybody out.

Mayor Raizk: Out. Yes. So, the sooner we get it down, the better off we are. The biggest problem was it was the big chunk of change to try to do. Frankly, you know, the average cost we have with these – we originally put in about \$5000 or \$8000 because usually on these types of properties it is about a \$4000 or \$5000 scenario for a demolition, especially on the smaller ones, but this large house offers particular problems.

Councilwoman Peterson: Just to kind of tack onto this, we've recently [inaudible for transcription] down on Clark Street, and it is really an improvement needed on...

Mayor Raizk: Clark, I'm sorry, I said Doan but it is on...

Councilwoman Peterson: Well, there was one about a year ago on Doan.

Mayor Raizk: Yes.

Councilwoman Peterson: It really has improved the neighborhood. It certainly reduced the number of calls to my home regarding that property, and it really cleans up the neighborhood.

Geoffrey Phillips: A question, Mr. President and Mr. Mayor. Two questions. One, after we pass the legislation, I did ask the director of Law – have we reviewed the pending state and federal legislation? Obviously, with foreclosures across the country, there are a number of communities that are facing this same issue. One of the issues that is at stake is if there are encumbrances and mortgages on those properties, that those holders are notified before demolition. Are we clear that we have clear properties with clear titles and there are no encumbrances on any of these properties?

Mayor Raizk: Yes. That is what has taken so long, Geoffrey, is that we have had to do that. We've had to go along and do that. Of course, these funds will actually be added to the tax duplicate, so when we tear it down, they are going to go with the property.

Geoffrey Phillips: Well, hence my question. If there is a \$30,000 mortgage and we spend \$15,000 to tear it down and it sells for \$20,000, we'll never get our money back.

Mayor Raizk: Well, I understand that, but at the same time we have the safety and the...

Geoffrey Phillips: I understand that, but we need to know.... The whole program has been sold on the premise that we are going to get our money back.

Mayor Raizk: Well, no it hasn't been. Actually, the whole program has been sold on the fact that these properties need to get torn down for the safety and health and well-being of the neighborhood. It is going to take that money, whatever it is, to take it down. I mean, if it is a \$5000 demolition or if it is a \$15,000 demolition, if we've got a problem like we do at Locust and Spring – whatever it takes, we need to get it down.

Geoffrey Phillips: My second question is – you know, the question was asked tonight – I mean is there a public disclosure process as to which properties are going to be demolished?

Mayor Raizk: Yes. The notification process has taken us quite a bit of time. We have to go to court. The Director of Law has been active. We've followed every procedure that she has laid out. We are not doing it independently of that.

Geoffrey Phillips: Well, [inaudible for transcription] \$35,000 and you identified where \$15,000 would be spent. There are a couple of others that we have the addresses. Can we print that list and notify the press so they can list the ones we're tearing down so people know...

Mayor Raizk: Yes. And some of those we don't have bids on and we are awaiting the final thing, but we need to have the money in line.

Geoffrey Phillips: Thank you.

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

Motion passed.

Jason Besser read ordinance by title only.

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

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

Jason Besser read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4775 passed as read.

Councilwoman Mongold: The last item is another ordinance making supplemental appropriations, and this is from the Probation Fund to the Capital Equipment Probation in the sum of \$5000. This is equipment that Judge Carey is going to purchase to use with his [inaudible for transcription].

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

Motion passed.

Jason Besser read ordinance by title only.

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

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

Jason Besser read the ordinance by title only.

A motion was made by Mongold and seconded by Popp to pass the ordinance as read.

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

Motion passed.

President of Council declared Ord. No. 4776 passed as read.

Councilwoman Mongold: The next Finance Committee meeting is scheduled for July 14 at 12:00 noon. Laura, would you see that that gets posted? Thank you.

President Ertel: Thank you. Water Committee?

Water Committee – Chairperson Mike Wallace: Yes, Mr. President. We have one item this evening on the Agenda. I think everybody had in their packet a letter from Laurel Oaks explaining that they are trying to upgrade their facility and they need a water tap. We have the lines right there, and this is something we feel that we could do pretty easily. Are there any questions about this?

A motion was made by Wallace and seconded by Peterson to give the first reading only on a resolution Approving Access and Water Service to a Property Outside the City of Wilmington and Declaring an Emergency.

Motion passed.

Jason Besser read resolution by title only.

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

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

Jason Besser read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2093 passed as read.

Councilman Wallace: That is all I have, Mr. President.

President Ertel: Thank you. Streets Committee?

Street Committee – Chairperson Peterson: I have two items, and we are going to be asking for the first reading on both items. The first is an ordinance to prohibit parking on the west side of Gallup Street. Just to give you a little background – several months ago it was brought before the committee that there were problems with traffic on Gallup Street with parking on both sides of the street. So we looked at removing the parking either on the east side or the west side and determined that we wanted to move forward and prohibit parking on the west side. That was the decision we made. Are there any questions? Is there anyone here that wants to speak to this?

Councilman Jaehnig: I will, Cindy.

Councilwoman Peterson: Oh, okay.

Councilman Jaehnig: Mrs. Stryker had hoped to be here on behalf of the Homeless Shelter.

Councilwoman Peterson: Okay.

Councilman Jaehnig: They are highly concerned with the decision to remove parking from the west side of the street considering that currently on that street there is parking for 22 vehicles. If we remove parking from the west side of the street, that will reduce it by 14 spots, leaving eight spots on the street for parking. If we remove parking from the east side instead of the west side, that will remove only eight spots, leaving them 14 spots for seven homes on that street. It would also leave the area in front of the Homeless Shelter open for taxi service, drop-offs, for deliveries and donations, and for any emergency services that may be needed at that particular location. She apologizes for not being able to be here tonight but does plan on attending the next meeting with board members to express it directly.

Councilwoman Peterson: What I would like to suggest, if this is okay, is that we go ahead with the first reading. Between now and the next council meeting, try to schedule a committee meeting and accommodate her schedule for the committee meeting if we possibly can. Laura, can I send you some dates that I am available that can go out to the other committee members and also to her. Do you have her email maybe? Would that meet the expectations of the committee and council?

Mayor Raizk: They are not concerned about removing one side or the other?

Councilman Jaehnig: No, they perfectly understand the safety and emergency needs for city services.

Mayor Raizk: That's fine...that's good.

Councilwoman Peterson: I appreciate that.

Councilman Jaehnig: They would just appreciate being able to retain as many spots as possible to accommodate those that are there. The last time I visited, there were 17 cars on the street and 22 spots. So they are already.... Obviously, they're not all involved with the Homeless Shelter, without a doubt, but at that rate they would already be three spots short with the additional building that they are getting ready to open, they had originally hoped that they would have parking behind it and that has not worked out. So, unfortunately, they are still stuck with what they have on the street.

Councilwoman Peterson: I'll go ahead and send you some dates and I will copy other committee members on dates that I'm available, and we'll go ahead and get that set up. Thanks a lot, Rob.

Councilman Jaehnig: Thank you.

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

All voted "Aye," with the exception of Jaehnig, who voted "Nay."

Motion passed.

Jason Besser read ordinance by title only.

Councilwoman Peterson requested that the second reading only be on the Agenda for the next meeting.

Councilwoman Peterson: The next item is to amend the traffic control map. This is related to the corner of Mulberry and Truesdell. This has been on the Streets Committee meeting agenda for several months. As vehicles turn on Mulberry from Truesdell, it is very difficult if cars are parked at the very end of Mulberry on the east side, so we want to extend the yellow marks in there. Any questions?

A motion was made by Peterson and seconded by Popp to give the first reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File, specifically Mulberry Street.

Motion passed.

Jason Besser read ordinance by title only.

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

Councilwoman Peterson: That is all I have. Thank you.

President Ertel: Thank you. Solid Waste/Recycling Committee?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President, I have nothing on the Agenda tonight; however, I would encourage the citizens to please recycle, as always.

President Ertel: Very good. Thank you, Don. Wastewater/Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: We have nothing tonight legislative. We would like to mention that we are in the season where we would normally get some odiferous reminders from that area, and I've driven by there fairly often and I might have gotten a whiff now and again, but I think maybe our new system is working.

Councilman Jaehnig: It is definitely better than what it was.

Councilman McKay: I say that optimistically, and I hope we continue to get good results. I just thought I would remind everybody that we did put a smell suppression system in for the benefit of those folks that drive and live in that area. That is all I have under that.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairman Mark McKay: We do have a couple of things under Judiciary. The first item is the second and third reading on the ordinance amending the ordinance regarding abandoned, junk or unlicensed vehicles on properties in Wilmington. Have we had any comments from the citizens?

Clerk Laura Curliss: Not to the Mayor's office.

Councilman McKay: Does anybody have a comment on that?

A motion was made by McKay and seconded by Popp to suspend the rules and give the second and third reading on the ordinance Amending Chapter 1709.02 of the Codified Ordinances Regarding Abandoned, Junk or Unlicensed Vehicles.

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

Jason Besser read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4777 passed as read.

Councilman McKay: Thank you. I did mention at the last meeting that Councilwoman Peterson had a lot of input on this and so did the administration and police, Ernie Blankenship, Larry Reinsmith, and I think it is an important piece of legislation to continue to make life better for the citizens of Wilmington. The second item, I'm wondering if the Mayor may help us understand that this legislation is.

Mayor Raizk: A little over a week ago, we started moving in awe were put in contact with....and we have a real narrow window of opportunity here...to apply to the Department of Commerce. This is kind of the first step to a planning grant that would be necessary before rather large economic assistance to our region could be obtained. This is kind of the building block step. Congressman Turner brought down folks from the Department of Labor and from the Department of Commerce. We had actually met with some of those folks from the regional office, the Chicago office, about a week before that. We made the decision that we need to go ahead and apply for this because we have very, very little time to do it. Laura has been working night and day trying to get it done. The good news is that a lot of the things we have in place or we have the ability to do, and a little bit of our expertise with the grant writing has helped being able to put that together. So what we are doing here is we need a resolution supporting our application to the Department of Commerce so we can get a Planning Assistance Grant, I believe it is called. It's not a large amount of money right now, but if we don't have that and when we go to the EDA (Economic Development Administration) to get rather large grant monies, this is a step that we need to have in place. Also, one of the things that is going to be – you'll notice it says on there Clinton, Fayette, and Highland. These things, if they are done regionally, it's a lot better. It's much more of a focus for the federal government if it is in a regional format. So we have contacted those counties. They are on board and working so that we can do this regionally. One of the things that will come out of this is that we will actually get a local economic recovery office that will be staffed by the federal government. That's a huge step.

Councilman McKay: I understand that one political unit has already approved this.

Clerk Laura Curliss: Fayette County Commissioners.

Mayor Raizk: Fayette County has and I believe Clinton will on Monday, won't they.

Clerk Laura Curliss: They did also. I got a fax yesterday or today.

Mayor Raizk: Yes. Wednesday.

Clerk Laura Curliss: Yes, it came in yesterday.

Mayor Raizk: I think everybody has and I think we need to go and then once we do that then we're good to go.

Clerk Laura Curliss: Highland and Clinton County Commissioners have approved it already. Highland has heard it and they are going to approve it next time.

Councilman McKay: It is sort of a 4-way cooperative. I believe the maximum at this point is \$200,000.

Clerk Laura Curliss: That is with \$50,000 of our matching money as a group.

Mayor Raizk: As a group. That's not just from one entity.

Councilman McKay: We could have to pay as much as \$13,750 as a stipend to achieve this. Are there any other questions?

A motion was made by McKay and seconded by Jaehnig to give the first reading only on a resolution of Support for an Application to the U.S. Department of Commerce Economic Development Administration for Investment Assistance for an Economic Recovery Office for Clinton, Fayette and Highland Counties and Declaring an Emergency.

Motion passed.

Jason Besser read resolution by title only.

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

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

Jason Besser read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2094 passed as read.

Councilman McKay: That's all I have, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Don Wells: Mr. President, I have two items on the Agenda. The first item tonight would be three readings on a resolution accepting a gift from the K&G Bike Center for the donation of a Fuji police mountain bike. Are there any questions?

A motion was made by Wells and seconded by Jaehnig to give the first reading only on a resolution Accepting a Gift.

Motion passed.

Jason Besser read resolution by title only.

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

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

Jason Besser read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2095 passed as read.

Councilman McKay: Mr. President, I'm sorry. I plead ignorance, but I don't know where the K&G Bike Center is.

Clerk Laura Curliss: Xenia.

Jason Besser: Xenia, Ohio, is the closest one.

Councilman McKay: Okay, that's the Xenia location. Okay. I didn't think it was in Wilmington, but I thought we should give them some credit. Thank you.

Councilman Wells: The second item tonight would be three readings on a resolution accepting a gift from Mark Elliott, owner of The Escape, a donation of \$550 for the

purchase of a Cannondale police mountain bike. This is a heavy frame bike. Are there any questions on this?

A motion was made by Wells and seconded by Peterson to give the first reading only on a resolution Accepting a Gift.

Motion passed.

Jason Besser read resolution by title only.

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

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

Jason Besser read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2096 passed as read.

Councilman Wells: Mr. President, I would really like to thank these individuals and the companies here for these donations. This is fantastic. It is greatly appreciated. That is all I have.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold: Well, for those of you that did not attend the Jazz and Wine Festival, you really missed a wonderful time. It was a huge success. I think the News Journal estimated, what, about 600 people there. If you were there, I know you had a good time. It was wonderful for Wilmington and downtown Wilmington. The next one coming up is July 18 and it's Blues-N-Que, and that's going to be a barbeque and the blues band will be the Hadden Sayers Band. We will have food and beer. So I hope you'll come out and join us. That was a lot of fun. Then, on July 12, the Farmer's Market is coming downtown. It is going to be in the David Adair parking lot, so that is exciting. Do not forget about Brown Bag on Thursday – Thursdays from 11:30 to 1:00. Thank you.

President Ertel: Thank you.

[Unable to ascertain speaker]: That's the Bel-Air parking lot, by the way.

President Ertel: Okay, Parks and Recreation, please?

Parks and Recreation Committee - Convener Mike Wallace: Softball and baseball are winding down. If it would stop raining, it would be almost taken care. We're into rain-outs. We might play until September right now.

Councilman Wallace: That's all I have, Mr. President.

President Ertel: Thank you. Service Director? Obviously, he is on vacation.

Service Director- In the absence of Service Director Larry Reinsmith, Mayor Raizk indicated there was no report.

President Ertel: Okay. Very good. Safety Director?

Safety Director – Nick Babb: No report, Mr. President.

Reports:

A motion was made by Wells and seconded by Peterson to approve the Income Tax Report – June 2008, 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. If you would, please, come to the podium and state your name and address for the record.

James Hanna: 370 High Street; Wilmington, Ohio: Mr. Mayor, Mr. President, council members and others, I thank you for the opportunity [tape ended]. Over the last several weeks, I had a conditional use request to a property at 383 N. Walnut Street before Planning Commission. We received very favorable approval/full recommendation on May 27. Next, before the Board of Zoning Appeals, and strictly it was not a rezoning request, simply as conditional use, I sought to change and relocate my professional office from right across the street, which is upstairs over the Chamber of Commerce to this property at the southwest corner of Vine and North Walnut. It's a property owned by the First Christian Church. It has been the church manse for 99½ years. I went around and met the neighbors and offered discussion with them on any plans and for them to get back to me on any thoughts or concerns they had. None had called me additionally. I did learn later from the city that no one called the city about coming into the Board of Zoning. One person in opposition appeared that night and it appeared the entire tone had changed by just one person appearing. We discussed two different signage options. I made an adjustment and agreed within the meeting to go to the lesser of signage, still staying within the 5-square feet that would have been permitted. My office request was really very, very low traffic, a very quiet-type office. Most of you here present this evening, if you know me, I've operated in the same location for 17 or 18 years. Some probably don't know that I really had an office there in town. I'm trying to understand really why, with no calls and no one replying back to me, I went out of my way to do the courtesy to meet and greet those folks and make the adjustment signage-wise. You know, we've got a lot of things in the paper about "We're pro-business," "We're supportive of business." Planning Commission was quite favorable and yet it made a complete reversal at the Board of Zoning Appeals. The vote that evening – there were three members present, so it came to two of the persons voting, and with the tie the board chairman then voted. It came negative two to one. I am here to express my concerns. There are a lot of things here in our country if we simply mooded and didn't do something because of one objection, I'd hazard to think where our country would have gone or become. Since then, I've looked a little further and I've placed a call to Kathryn Hapner. She had written me back. This week we're playing phone tag. She had pointed out that probably it was not something that council could act on. I potentially would have to go before Common Pleas Court. But it has come to light, since going over a little bit more of that material, I think maybe there is now even surfacing an improper vote made that evening, and I would hope that Council would help me address that. I'd ask really the Council, you know, if you and your Boards operate under Roberts Rules of Order? It turns out that the person who made the motion then voted negative for the issue. I don't think that is proper or allowed in the Roberts Rules of Order. So had that really been turned, the vote would have been 2-0 and conditional use approved. In the order of sequence, the motion was made, and when the vote came, the other person present on the board, non-chairman voted in favor, and then the person who made the motion. If you make a motion, it appears to me everything in Roberts Rules of Order you're in support of that motion. They made the motion and then voted against it. So I'm here to seek resolution out of that. Possibly the Law Director can help me here on Roberts Rules of Order. Thank you for your time and consideration of this.

President Ertel: Thanks, Jim. I agree. We will have the Law Director look at that and make sure that due process was followed in that particular meeting.

Mayor Raizk: I don't believe Council can actually do anything, Jim, but the Law Director certainly would be the final authority on that.

Jim Hanna: The next meeting of Board of Zoning appeals probably is Monday evening.

President Ertel: This Monday?

Jim Hanna: I believe.

[Unable to ascertain speaker]: It should be. I don't know. I'm not on the Board of Zoning Appeals.

Councilman Jaehnig: It's the same night as Parks, which is this coming Monday, isn't it.

Jim Hanna: I think it is July 7. If nothing else, I would like to be back and at least stand before to try to have those minutes amended because I believe the minutes read for that meeting would need some amending. 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 McKay and seconded by Jaehnig to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

COUNCIL

July 17, 2008

Wilmington City Council met on Thursday, July 17, 2008, with President Pro Tempore Sandy Mongold presiding.

President Pro Tem Mongold: In the absence of the Clerk, Director of Law would you please serve in that roll?

Director of Law Hapner: I'd be glad to.

President Pro Tem Mongold: Do I have a motion to excuse the absent member?

Hapner: Actually, we should take roll call first.

Mongold: Yes, please call the roll.

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

Assistant Chief Weyand was also present.

A motion was made McKay and seconded by Wallace to excuse the absent member.

Motion passed.

Absent member is excused.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Peterson and seconded by Jaehnig to postpone the meeting until 8:30 p.m. A roll call vote was taken Jaehnig: yes; Wells: no; Peterson: yes; Wallace: no; Mongold: no; McKay: no.

Motion did not pass.

A motion was made by McKay and seconded by Wells to approve the minutes of the last regular meeting, July 3, 2008, as received.

Motion passed.

Minutes approved as received.

President of Council - Sandy Mongold: We have a second reading on an ordinance amending Chapters 1131 and 1133 of the Wilmington Codified Ordinances.

A motion was made by McKay and seconded by Wells to give the second reading only on the ordinance Amending Chapters 1131 and 1133 of the Wilmington Codified Ordinances.

Motion passed.

Director of Law read the ordinance by title only.

President Pro Tem Mongold requested that the third reading be on the Agenda for the next meeting.

President Pro Tem Mongold: We also have a second reading on an ordinance amending Chapters 1139.06-07 (Board of Zoning Appeals) of the Wilmington Codified Ordinances.

A motion was made by McKay and seconded by Wallace to give the second reading only on the ordinance Amending Chapters 1139.06-07 (Board of Zoning Appeals) of the Wilmington Codified Ordinances.

Motion passed.

Director of Law read the ordinance by title only.

President Pro Tem Mongold requested that the third reading be on the Agenda for the next meeting.

President Pro Tem Mongold: The next items tonight is a second reading on an ordinance adding Chapter 1160 to the Codified Ordinances of the City of Wilmington Creating the H-1 Zone (A/K/A the Wilmington Commercial Historic District). Are there any questions.

A motion was made by Wallace and seconded by Jaehnig to give the second reading only on the ordinance.

Motion passed.

Director of Law read the ordinance by title only.

President Pro Tem Mongold requested that the third reading be on the Agenda for the next meeting.

President Pro Tem Mongold: The next item tonight is an ordinance adding Chapter 1169 to the Codified Ordinances of the City of Wilmington Creating the Stream and Riparian Overlay Zone.

A motion was made by Peterson and seconded by Wallace to give the second reading only on the ordinance.

Motion passed.

Director of Law read the ordinance by title only.

President Pro Tem Mongold requested that the third reading be on the Agenda for the next meeting.

President Pro Tem Mongold: The last item tonight is a second reading an ordinance Chapter 1302 Administration and Enforcement for Commercial Historic District; Design Review Board; Repealing Ordinances 2240, 2364, 2390, 3444, and Resolutions 666, 687 and Ordinances or Parts of Ordinances Inconsistent Herewith.

A motion was made by McKay and seconded by Jaehnig to give the second reading only on the ordinance.

Motion passed.

Director of Law read the ordinance by title only.

President Pro Tem Mongold requested that the third reading be on the Agenda for the next meeting.

President Pro Tem Mongold: We don't have a mayor tonight.

Asset, Acquisition and Use - No report.

President Pro Tem Mongold: Mr. Auditor.

Auditor - David Hollingsworth: I have nothing.

President Pro Tem Mongold: Thank you. Finance.

We do have an ordinance making supplemental appropriations tonight. The first item is the water refunding escrow account to the escrow payments of [inaudible] this is the interest [inaudible] that needed to be made to make the payment transfer. The second tonight item is from the first mortgage waterworks system revenue bond fund to escrow payments of \$8,029,500.00. That is just, its already been budgeted its just transferring the money so that it can be paid. I would move for the first reading.

A motion was made by Mongold and seconded by Peterson to give the first reading only on the ordinance.

Motion passed.

Director of Law read the ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President Pro Tem Mongold: Water committee.

Water Committee - Chairperson Mike Wallace: no report.

President Pro Tem Mongold: Streets Committee.

Streets Committee - Chairperson Peterson: In streets committee we like to propose legislation, give it a reading and postpone it. The first item I'd like to postpone until the next meeting. We're in the process of amending that legislation so we're going to bring it back here and ask for the second reading at the next meeting. So put that on the Agenda for the next meeting.

Councilman McKay: We'll have an idea of what the legislation is going to be before the meeting.

Councilwomen Peterson: We're moving a few parking spaces on Sugartree and one parking space, perhaps, on Gallup Street. It depends. We're going to defer to the Streets Superintendent. That's why we want to delay this for a couple of weeks, so that he can actually do some measurements and make sure that we've got it right for next time.

Wells?: the biggest thing is getting around the corner with snow removal and emergency vehicles. We felt maybe it wasn't in the best interest of everybody to eliminate the parking spots on Gallup, but the corner still needs addressing.

McKay: So at this point you're considering leaving parking for the most part as it exists.

Councilwoman Peterson: We've had a lot of citizen involvement. In fact the idea for the changes in the legislation came from the citizens that live there. And then the next item we're going to go ahead and do the second and third reading on an ordinance Amending the Traffic Control Map and this in regard to Mulberry Street.

A motion was made by Peterson and seconded by Wallace to suspend the rules and give the second and third reading on the ordinance.

Roll Call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mongold, yes; McKay, yes. Director of Law read the ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mongold, yes; McKay, yes. President Pro Tem Mongold declared Ord. _____ passed as read.

President Pro Tem Mongold: Solid Waste/Recycling Committee?

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

President Pro Tem Mongold: Wastewater/Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: No report.

President Pro Tem Mongold: Judiciary?

Judiciary Committee: Chairperson Mark McKay: We have a couple of things tonight. The first item has to do with the fact that we have annexed a large parcel of property around the airport and some other areas and when that happens we are required to reset the ward boundaries and our committee has met with the election board and we are all satisfied that these boundaries are contiguous to established wards now and seem to work with us in this way. Are there any questions about this? Yes, Geoff

Geoffrey Philips: Councilman, a question for clarification in the title in repealing all ordinances in conflict therewith and just for clarification, in the last ordinance back in 74 57, I think originally in 57, it establishes for example Birdsall that 1st and 2nd ward are split down the middle of the street. Looking at this map it does that. Does that language stay on the books of the City? Or is it all replaced by this map?

Councilman McKay: I do not know how to answer that.

Geoffrey Philips: The concern would be that if it is the map, citizens, anyone could go to the City's website and read the ordinances. There are no documents, so this map is not available to them. I understand what we are doing and have no problem with what we are doing, I was just concerned in the language right now there is a very clear distinction as to fact that two or three situations in the city its not down the middle of Locust Street, but its broken in the neighborhood and I know its only a first reading and possibly just a question.

Councilman McKay: You're saying that you still think there needs to be some clarification of language.

Geoffrey Philips: Well, my only question is if we're repealing ordinances in conflict therewith, does that repeal the language that's on the books today, and if it does, wouldn't we really do better to leave that language in place and provide clarification in an additional section.

Councilman Wallace: I thought [inaudible] and the map were one and the same.

Councilman McKay: I think what he's talking about is a bigger question. Are you satisfied is we do the first reading?

Geoffrey Philips: No problem with that. I just want to understand what the net impact is. That's all my questions.

Councilman McKay: We will find out because we will be doing, hopefully, second and third readings at the next meeting. I would just ask for the first reading tonight if there are no other questions.

Geoffrey Philips: Thank you.

President Pro Tem Mongold: We'll get a clarification on that before the next meeting. All those in favor say "aye". Opposed, nay.

Motion passed.

Director of Law read the ordinance by title only.

President Pro Tem Mongold requested that the second reading be on the Agenda for the next meeting.

Councilman McKay: The next item is a housekeeping type item that we do every year. It has to do with participation in a worker's compensation pool. Are there any questions? If not, I move for the first reading.

A motion was made by McKay and seconded by Peterson to give the first reading only on the ordinance.

Motion passed.

Director of Law read ordinance by title only.

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

Roll Call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mongold, 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: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mongold, yes; McKay, yes.

President Pro Tem Mongold declared Ord. _____ passed as read.

Councilman McKay: That's all I have with the exception that I believe we have a judiciary meeting scheduled for Tuesday at 6:00. That's all I have.

President Pro Tem Mongold. Thank you. Safety Committee.

Safety Committee: Chairperson Don Wells: No report.

President Pro Tem Mongold: Downtown Revitalization. I would just like to remind you that tomorrow night the Blues and Q concert in the mural park. It should be outstanding and the weather is supposed to be nice. The food will be excellent, Beaugard's is supplying. I hope to see you all there tomorrow night. Parks and Recreation Committee.

Parks and Recreation Committee: Convener Mike Wallace: No report.

President Pro Tem Mongold: Service Director. Safety Director. You have before you the Auditor/Treasurer report for June 2008. Do I have a motion to accept them as presented?

A motion was made by Peterson and seconded by Wallace to accept the Income Tax Report - June 2008, as received.
Motion passed.
Reports accepted as received.

President Pro Tem Mongold: Is there any member of the audience or council member that who would like to say something this evening? Just please go the front podium and state your name and address.

James Hanna, 370 High Street in Wilmington. I was before council at the last meeting on the question concerning potentially some parliamentary procedure issues out of the Board of Zoning Appeals. I was able to do some further research and study and found that that vote was able to stand. Parliamentary wise is was correct so I am back before you to acknowledge I was wrong and thank you for your time and attention to it.

President Pro Tem Mongold: Thank you.

Scott Kirchner, 261 South Mulberry Street. First of all I wanted to thank councilwoman Mongold for serving as President Pro Tem tonight. I appreciate your efforts and I also wanted to notice the Law Director, Kathryn Hapner, for performing the council of clerk duties this evening. I know its not your job and I'm glad to know responsible officeholders are here to do the people's work. I appreciate that. I came tonight because I noticed in the newspaper a week ago that the governor was going to be back in town and I know that in February I had raised concerns about tax payer funds being used to advocate for a Democratic fundraiser. I wanted to comeback tonight and ask the question as to whether or not more taxpayer funds had been used to advertise this fundraiser. I was curious, last time the Mayor's office seemed to defend the activity and behavior. I believe eventually it was found to be criminal and I didn't know if council had actually verified whether or not City funds had been spent on this Democratic fundraiser tonight.

President Pro Tem Mongold: Anybody have any information on that?

Scott Kirchner: O.K. I just wanted to

President Pro Tem Mongold: We'll follow up on that.

Scott Kirchner: I appreciate that. I just wanted to raise the concern having not heard anything back from February. I also wanted to notice that I'm disappointed if the absence of the Mayor and our single Democratic councilperson as well as our Democratic Clerk of Courts tonight is due to a political fundraiser. That they find political fundraising more important than doing the people's business. And I think it's a sad testament to their dedication if that is in fact true. That is, if it is in fact true. Thank you.

President Pro Tem Mongold: Thank you for your comments. Any other comments? Questions?

A motion was made by McKay and seconded by Peterson to adjourn.
Motion passed.
Council adjourned.

ATTEST:

President Pro Tem of Council

Acting Clerk

¹ CLERK'S NOTE: These Minutes were not prepared by the Clerk or her designee. There was/is no published agenda for this meeting because the regular meeting at 7:30 p.m. was not going to be held on July 17 per the Mayor and President of Council. Rather, a special meeting [a

regular meeting held at a time other than the regularly scheduled time] was to be held at 8:30 p.m. on July 17 and an agenda was published for the 8:30 p.m. meeting. Compliance with WCO 107.01, 111.04 and R.C. 121.22(F) certified. Pursuant to 107.01 Rule 12, the Clerk cannot certify compliance for the July 17, 7:30 p.m. meeting. WCO 107.01 Rule 1(c) (“Clerk” means the Clerk of Council or the City of Wilmington or his/her designee.”). The Clerk did not designate a designee for the July 17, 7:30 p.m. meeting pursuant to WCO 107.01, Rule 1(c) and cannot attest to these Minutes. WCO 107.01, Rule 12 states that “No business shall be conducted at any meeting until the Clerk has certified compliance with these rules. Such certification shall be conclusive upon the public body.”

Wilmington City Council met in special session on Thursday, July 31, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call a special meeting of Wilmington City Council to order, please. Roll call.

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

Assistant Chief Duane Weyand was also present.

A motion was made by Peterson and seconded by McKay to excuse the absent members. Motion passed.

Absent members excused.

Council gave the Pledge of Allegiance to the flag.

President Ertel: Thank all of you for coming tonight, I appreciate it. The purpose of tonight's meeting is not to discuss the July 17 meeting, but to actually look at legislation, review it, so on and so forth, and move forward with it. If there are persons interested though in talking about the July 17 meeting, at the conclusion of this meeting I'll be glad to stick around and talk to anybody and everybody about their opinions, about how they feel about it. We'll pull the chairs up and we'll have a nice open public meeting on it if everyone would like to stay. We will conclude this meeting though and then go into the July 17 discussion so that those people wishing to leave and go other places can do so.

A motion was made by McKay and seconded by Popp to approve the minutes of the council meeting of July 3, as received.

Motion passed.

Minutes approved as received.

President Ertel: Kathryn, you can join us up here.

Law Director Kathryn Hapner: I will not. This meeting did not need to be called. I've given my legal opinion on that and I will not take part in it.

President Ertel: We understand your opinion.

President Ertel said the next item was a second reading on an ordinance amending Chapters 1131 and 1133 of the Wilmington Codified Ordinances.

A motion was made by McKay and seconded by Popp to give the second reading only on Ordinance Amending Chapters 1131 and 1133 of the Wilmington Codified Ordinances.

Motion passed.

President of Council read the ordinance by title only.

President of Council asked for a 3rd reading on the next agenda.

President Ertel: The second issue is an ordinance amending Chapters 1139.06-07 (Board of Zoning Appeals) of the Wilmington Codified Ordinances.

A motion was made by McKay and seconded by Peterson to give the second reading only on the ordinance Amending Chapters 1139.06-07 (Board of Zoning Appeals) of the Wilmington Codified Ordinances.

Motion passed.

President of Council read ordinance by title only.

President of Council asked for a 3rd reading on the next meeting agenda.

President Ertel: The next ordinance is regarding the ordinance adding Chapter 1160 to the Codified Ordinances of the City of Wilmington creating the H-1 Zone (A/K/A the Wilmington Commercial Historic District).

A motion was made by Peterson and seconded by McKay to give the second reading only on the ordinance Adding Chapter 1160 to the Codified Ordinances of the City of Wilmington Creating the H-1 Zone (A/K/A the Wilmington Commercial Historic District).

Motion passed.

President of Council read ordinance by title only.

President of Council asked for a 3rd reading on the next meeting agenda.

President Ertel: The next ordinance is adding Chapter 1169 to the Codified Ordinances of the City of Wilmington creating the Stream and Riparian Overlay Zone.

A motion was made by McKay and seconded by Peterson to give the second reading only on the ordinance Adding Chapter 1169 to the Codified Ordinances of the City of Wilmington Creating the Stream and Riparian Overlay Zone.

Motion passed.

President of Council read ordinance by title only.

President of Council asked for a 3rd reading on the next meeting agenda.

President Ertel: The next ordinance is an ordinance Amending Chapter 1302 Administration and Enforcement for Commercial Historic District; Design Review Board; repealing Ordinances 2240, 2364, 2390, 3444, and Resolutions 666, 687, and ordinances or parts of ordinances inconsistent herewith.

A motion was made by Peterson and seconded by Popp to give the second reading only on the ordinance Amending Chapter 1302 Administration and Enforcement for Commercial Historic District; Design Review Board; Repealing Ordinances 2240, 2364, 2390, 3444, and Resolutions 666, 687, and Ordinances or Parts of Ordinances Inconsistent Herewith.

Motion passed.

President of Council read ordinance by title only.

President of Council asked for a 3rd reading on the next meeting agenda.

President Ertel: That completes my portion of it. The mayor is not here yet. He's in a meeting downstairs; I came from that also, dealing with the Task Force. Asset, Acquisition and Use?

Asset, Acquisition and Use – No report.

President Ertel: Thank you. Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – In the absence of Chairperson Sandy Mongold, Mark McKay introduced their ordinance for supplemental appropriations.

A motion was made by McKay and seconded by Popp to give the first reading only on an Ordinance Making Supplemental Appropriations.

Motion passed.

President of Council read ordinance by title only.

President of Council asked for a 2nd reading at the next meeting.

President Ertel: Water Committee? No report.

President Ertel: Streets Committee?

Street Committee – Chairperson Peterson: I have two items, The first item (Gallup Street) I want to postpone until the August 7 meeting. During the public Streets Committee meeting that we had, I assured the residents that the second reading would be at that time.

Councilwoman Peterson: The second item is a second reading only and we'll have the third reading at the next meeting. It is a second reading on an ordinance amending the traffic control map and the traffic control file on Mulberry Street.

A motion was made by Peterson and seconded by McKay to give the second reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File, for Mulberry Street.

Motion passed.

President of Council read ordinance by title only.

President of Council asked for a 3rd reading on the next meeting agenda.

President Ertel: Thank you. Solid Waste/Recycling Committee?

Solid Waste/Recycling Committee: No report.

Wastewater/Sewer Committee? Chairman McKay – No report.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairman Mark McKay: We do have a couple of things tonight. . . The first item is the ordinance establishing ward boundaries due to the annexation of the airpark.

A motion was made by McKay and seconded by Peterson to give the first reading only on an ordinance Establishing Ward Boundaries in the City of Wilmington and Repealing all Ordinances in Conflict Herewith.

Motion passed.

President of Council read ordinance by title only.

Chairman McKay asked for a 2nd reading on the next meeting agenda.

Chairman McKay: The second item is our annual ordinance authorizing participation in the Workers' Compensation pool.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Authorizing Participation in a Workers' Compensation Pool.

Motion passed.

President of Council read resolution by title only.

Chairman McKay asked for it to be on the next agenda.

Chairman McKay: The third item is an ordinance amending 4761 changing some classifications and salaries for certain city employees and I have been notified by a citizen that they want to make a comment on this.

Paul Hunter: Thanks, Mr. Convener. My comment is that either the code enforcement position that you're dealing with (one of the positions you are dealing with) is under-employed and not worthy of full time status with pay and benefits topping out at \$86,000. Or the current occupant of the position is hard at work 52/40 enforcing the building code and earning his pay and any time taken from that duty will result in a reduction in code enforcement duties. Either he's underemployed now and we can afford to let him go over to do engineering work or code enforcement is going to suffer because of splitting his time.

Realizing the fact that the service director will appoint the same person to the new position that currently occupies the enforcement job, rather than open it up for competitive applications, we might consider the fact that the incumbent enforcement official will add engineering duties to a full time engineering business and has also taken on the position of a golf coach at Wilmington College. That sounds like four part time

jobs to me rather than one full time job. One of the jobs will eventually cost the general fund \$95,000 a year, quite a bit of money in these dark days.

For what it is worth, I would suggest that the code enforcement be added to the building inspector's contract, Mr. Hobgood, and the engineering position be made a part-time position at a commensurate pay.

If we are serious about curtailing the drain on the taxpayer's fund as lean economic times loom ahead for us, you need to be aware of every dollar of expenditure that you are authorizing add up and, as we all know, it's going to be a hard time for us.

Councilwoman Peterson: Paul, I appreciate your comments. Obviously, the code enforcement position is very near and dear to my heart. During the committee meeting, this obviously raised some flags for me as well because I am very involved in that. I felt confident after the meeting that this was the best resolution. What was explained there was that some of the existing duties will be restructured in the department. We are currently outsourcing some of the engineering and that can be brought in.

Paul Hunter: Yeah, I understand, but we could still do that by contract.

Councilwoman Peterson: And moving code enforcement to another area, I don't think any of us felt comfortable with that either; I think it is where it needs to be and I felt very comfortable with this move and the restructuring.

Paul Hunter: I just point out the money.

Councilwoman Peterson: Yes, we looked at that as well.

Paul Hunter: Not those top salaries, I was at the committee meeting and I didn't think it was covered that well.

Councilwoman Peterson: But I appreciate the comments.

Councilman McKay asked if there were any further questions and there were none.

A motion was made by McKay and seconded by Peterson to give the first reading only on an ordinance Amending Ordinance No, 4761 Establishing Classification and Salary Ranges for Certain City Employees, Repealing Ordinances and Parts of Ordinances in Conflict Herewith.

Motion passed.

President of Council read ordinance by title only.

President Ertel asked for a 2nd reading for the next meeting.

Safety Committee – No report.

President Ertel: Downtown Revitalization Committee?

Downtown Revitalization Committee – No report.

Councilman McKay: Can I say just one thing? We are going to have a downtown yard sale starting tomorrow and Saturday.

President Ertel: Very good. Thank you.

President Ertel: Parks and Recreation.

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

Service Director- Larry Reinsmith – No report.

President Ertel: Okay. Safety Director?

Safety Director – Nick Babb: No report.

Reports:

President Ertel – Is the report for June in front of you. I don't believe it was in our packets. Since this is a special meeting, it was probably shown in the 17th meeting and if there are any issues we will get it to you and review that August 7, but I assume in August we'll probably have the July report.

President Ertel: If there are any persons wishing to address the council meeting while in session, please come to the podium and state your name and address. If dealing with the July 17 meeting, hang on and we'll adjourn this and let people do what they need to do and then we'll reconvene right here to talk about the 17th if there is anyone interested in staying. Any persons wishing to address council while in session? (No response.)

Seeing no one else who wished to speak, President Ertel asked for a motion to adjourn.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

COUNCIL

August 7, 2008

(Clerk's Note: The regularly scheduled council meeting did not occur due to lack of a quorum. The notes below represent the conversation of those in attendance at the 7:30 p.m. meeting time.)

Assistant Chief Duane Weyand was present.

Council gave the Pledge of Allegiance to the flag.

President Ertel: At this point in time, we do not have a quorum to get started so we cannot even have a motion to postpone. Cindy is on her way and she suspected she would be here around 8:00 p.m. from Cleveland and Sandy is on her way back from Dayton. They both thought they would be close to being here, but they are not here yet.

Paul Hunter: You have enough to adjourn, Mr. President.

President Ertel: Well, we can't even have a motion to adjourn.

Law Director Kathryn Hapner: A motion to adjourn does not have to be passed by a majority as long as there is a motion and a second and there is no objection to it.

President Ertel: O.K. Do council members want to wait a little bit for the others?

Rob Jaehnig: Can we hear about the mayor's afternoon?

President Ertel turned on the P.A. system.

Mayor Raizk: As you know, this afternoon Senator McCain came to Wilmington and the first thing I want to say to Duane is that the guys and gals did a great job and we appreciated your efforts; it went very smooth and I also know you were assisted by the Sheriff's Department and everybody did a good job. It was very orderly and ran very smooth. Senator McCain met with a group of their campaign's picking of about 25 folks in a kind of round table format at the McCoy Room in Kelly Center. At first he heard from Congressman Turner who has been working very diligently with us and he kind of explained the overview. I explained a little bit about what happened in Germany and also what the Task Force has been working on. He heard from Mary Houghtaling who is kind of responsible for getting Senator McCain here. She had approached him when he was at a meeting in Portsmouth on July 9 and wanted him to come and gave him a very emotional plea. And he heard from other folks around the table, workers representing ASTAR and ABX and I think he got a real flavor of what is happening. He was very touched by it and he was very realistic about things as most of us have been, realizing that we are working on a dual track of not only retention, but also of redevelopment at the same time. It lasted about 45 minutes and then he gave a prepared statement to the press in another room and then he walked out and met with some of the workers as they had them behind kind of a line there. That was pretty much it. It lasted a little over an hour. He came about 3:30 and he was gone by 4:30 or 4:45, but we were very appreciative of that because it certainly brings some national attention. Retention really focuses on how much national attention we can get on this transaction and efforts at the antitrust scenario and also federal contracts. There are a lot of other things involved here at the federal level. Many of these companies have very lucrative federal contracts to haul things for the government and the military and different things like that so it is important that these transactions get scrutinized. One of the other things that the national attention focuses on is there is some pending legislation about Open Skies which is an effort primarily in the passenger world of air travel by the European airlines. They have kind of formed a group to try to get, there is some Open Skies legislation that has to do with what they can do in the United States. As I understand it, it's very simplistic, but in Europe if a plane left here it can go on to a different destination there. In the United States a plane might fly from Frankfurt to Cincinnati and then if you want a connecting flight, those airlines can't do the connecting flight. Let's say it was

Lufthansa or somebody that did that. So that is what that Open Skies' legislation is about is about other carriers being able to do those connecting flights and, frankly, before this transaction there really wasn't any opposition to that. It was like this is good business for everyone, etc. Now those kinds of things are getting called into question because of the behavior of Duetsch Post and DHL. So it is very important to have the folks at the federal level looking at these things because they do give credibility to the efforts here and to keep shining that bright light on them. Hopefully, those folks are going to back away or come up with a different solution. So we're very thankful that Senator McCain came to Wilmington to give us this kind of national exposure. It was on the news almost immediately that he was here. I had friends call and say they saw his statement on CNN. I had a friend call me from South Carolina who said he saw McCain on CNN talking about Wilmington. That is very important to our efforts in the retention area. That was pretty much the afternoon and I think everything went smoothly. Duane, again, thank you and all of your folks and please pass that on from all of us.

Other activities that are coming up, just to give you some background, our next Task Force meeting is the morning of the 19th and then in the afternoon there will be a joint session of the State Representatives and our State Senate Committee that is chaired by John Carey and Dave Daniels here in Wilmington rather than in Columbus and they are going to listen and they want to bring other lawmakers in the state hearing some of these things of a regional nature. It's going to be out at ABX in Building 2 so that will be interesting and it will be at 1:00 p.m. on the 19th. Is that open?

Clerk Laura Curliss: We don't know that yet.

Mayor Raizk: We think all of these efforts to keep this on Page 1 is what is driving this effort. That's all I have.

President Ertel: Very good. Any other discussion?

Councilman Rob Jaehnig: If we're looking to burn time, we can go back to my favorite subject, Holidazzle. On August 25, in the Community Room downstairs at 6:30 we will have our kickoff parade meeting. Anybody that has even the slightest interest in possibly being in the parade, this is the meeting that you will want to attend. We will have photos of last year's event that we will be reviewing, we'll have applications, we'll be able to answer questions in regard to what you can and can't do. We'll be reviewing and helping with electrical issues and how you go about putting your float together. We'll be unveiling the proposed new parade route at that particular point and the logistical changes for those interested in the parade. We're looking to get as many people for that event at that particular point they'll have an opportunity that night to get their application filled out and even approved if they would like to get it all done in one single evening. We've had some extremely successful talks already in regards to the parade. We're jumping from three bands to five. We have all four county bands already committed, plus Jamestown is going to be coming down. We are still in discussion with a few others. There is still discussion going on that will hopefully be finalized next week to add a pipe band on top of that and we're getting a lot of interest from outside the community with entertainers and so forth wanting to participate in the parade or in the event itself. It's a very exciting time. This is the time when Holidazzle starts to kick into high gear to be ready for the Saturday after Thanksgiving.

When asked if there was a rain date in case the weather was bad, Rob responded that there was not; they just "go with it."

Paul Hunter: Clinton County Open Lands is having a local foods dinner next Wednesday, the 13th, at the General Denver, all local produce prepared by the chef at the General Denver and I would like to encourage everybody to come. It is to support our organization. It's \$25 per person.

Mayor Raizk asked again about the time and Laura Curliss responded that it was 5:30 social and 6:00 for dinner.

Mayor Raizk: When we were building class floats, as Mr. Wells will remember, we had to keep the location secret or roving bands of other classmates would come and tear up your float.

Rob Jaehnig: We're not having that issue.

(There was some banter and laughter here.)

Mayor Raizk to Mike Wallace: Coach, you have your first home football game?

Mike Wallace: August 29th with Miami Trace at Wilmington College; we're excited about that.

(There was further discussion about the Jimmy Buffet entertainment at the Murphy Theatre being the same evening as this football game, etc.)

President Ertel suggested Mike Wallace give an update on the tennis courts.

Mike Wallace: The tennis courts are now starting to pick up speed after all of the rains and monsoons in June. We're looking at a completion date around the first week in September. We think that is a good estimation. (He discussed the blacktop, fence, and nets.)

Paul Hunter asked about the Fall season.

Mike Wallace: The girls have started their season already.

(There were multiple discussions going on at one time and it was not possible to transcribe this area of the tape.)

President Ertel stated that they were not receiving a response from their cell phone attempts to contact absent council members so there was some discussion about adjournment and whether or not a special council meeting would be required.

Laura Curliss said the legislation regarding boundaries might need to be amended to an emergency if the Board of Elections needed it and the legislation on Workers' Compensation had been amended already to an emergency because of its due date on the 25th.

Cindy Peterson was on Route 72 approximately 15-20 minutes out and President Ertel asked council if they wanted to wait.

Law Director Hapner said nothing could be passed tonight anyway. President Ertel said council could just advance the legislation by one reading. However, if a Special Meeting was going to be held anyway . . .

It was decided to adjourn. President Ertel thanked those who attended.

Wilmington City Council met in regular session on Thursday, August 21, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, August 21 meeting of Wilmington City Council to order, please. Roll call.

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

Assistant Chief Duane Weyand was also present.

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 council meeting of July 17, as received.

Motion passed.

Minutes approved as received.

A motion was made by Popp and seconded by Peterson to approve the minutes of the special council meeting of July 31, as received.

Motion passed.

Minutes approved as received.

A motion was made by Jaehnig and seconded by Wallace to approve the minutes of the regular council meeting of August 7, as received.

Motion passed.

Minutes approved as received.

President Ertel said the next item was a third reading on an ordinance amending Chapters 1131 and 1133 of the Wilmington Codified Ordinances.

A motion was made by McKay and seconded by Peterson to give the third reading only on Ordinance Amending Chapters 1131 and 1133 of the Wilmington Codified Ordinances.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by McKay and seconded by Peterson that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4778 passed as read.

President Ertel: The next order of business is a third reading on an ordinance amending Chapters 1139.06-07 (Board of Zoning Appeals) of the Wilmington Codified Ordinances.

A motion was made by Peterson and seconded by McKay to give the third reading only on the ordinance Amending Chapters 1139.06-07 (Board of Zoning Appeals) of the Wilmington Codified Ordinances.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by Peterson and seconded by McKay that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4779 passed as read.

President Ertel: The next ordinance is regarding the ordinance adding Chapter 1160 to the Codified Ordinances of the City of Wilmington creating the H-1 Zone (A/K/A the Wilmington Commercial Historic District).

Council member Wells – Mr. President, may I ask a question?

President Ertel: Certainly.

Council member Wells – Have the people who own property in this next zone, have they been notified of this?

Council Clerk Curliss: We do not have to give particular notification, individual, like the rezoning of a property.

Council member Wells – I did come across someone who did not know anything about it, it hadn't been in the newspaper, and I just thought . . .

President Ertel: Was that person for or against?

Council member Wells – I do not know; they were just unaware.

Mayor Raizk – It also had at least three hearings before Planning Commission that were publicized and you were there. We did do that at that point.

A motion was made by Peterson and seconded by McKay to give the third reading only on the ordinance Adding Chapter 1160 to the Codified Ordinances of the City of Wilmington Creating the H-1 Zone (A/K/A the Wilmington Commercial Historic District).

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by Peterson and seconded by Jaehnig that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4780 passed as read.

Council member Peterson – I would just like to make a comment about this legislation. This started several years ago and a lot of work was done. I think the Design Review Board, the genesis was there, and I know we finally gave the third reading and passed it, but it was anti-climatic because all of the work went into this a year or two ago so I just wanted to thank the Design Review Board for seeing this through.

President Ertel: Okay. Thank you.

President Ertel: The next item of business is a third reading on an ordinance adding Chapter 1169 to the Codified Ordinances of the City of Wilmington creating the Stream and Riparian Overlay Zone.

A motion was made by McKay and seconded by Popp to give the third reading only on the ordinance Adding Chapter 1169 to the Codified Ordinances of the City of Wilmington Creating the Stream and Riparian Overlay Zone.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by McKay and seconded by Popp that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4781 passed as read.

President Ertel: The next ordinance is the third reading on the ordinance Amending Chapter 1302 Administration and Enforcement for Commercial Historic District; Design Review Board; repealing Ordinances 2240, 2364, 2390, 3444, and Resolutions 666, 687, and ordinances or parts of ordinances inconsistent herewith.

A motion was made by McKay and seconded by Popp to give the third reading only on the ordinance Amending Chapter 1302 Administration and Enforcement for Commercial Historic District; Design Review Board; Repealing Ordinances 2240, 2364, 2390, 3444, and Resolutions 666, 687, and Ordinances or Parts of Ordinances Inconsistent Herewith.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by McKay and seconded by Jaehnig that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4782 passed as read.

President Ertel – The final one is a first reading on an ordinance to approve the dedication plat of Buckeye Hills Subdivision.

Council member Wallace – I'm sure people have done this. It seems like whenever we bring in a plat or we have subdivisions come in sometimes people that develop some of these plats cut corners on roadways or right-of-ways or things like that and, all of a sudden, we are the bearer of bad news in about ten years and costs the city money to repair. I assume that we are taking a good look at this and everything is acceptable.

Mayor Raizk – Yes. And this is the dedication plat; the final plat has been approved and it has been inspected.

Council member Wallace – I just want to make sure that it is what we want.

Service Director Larry Reinsmith – All I can tell you is that it was inspected per the city's standards. You go out ten years and many things wear out in ten years; usually it's not undergrounds. It's usually the pavement that goes. But sewer and water use plastic pipe and are usually in pretty good shape. And for anybody that doesn't know, that's actually an extension of Peggy Lane coming out of McDermott Village to Nelson Road.

President Ertel: Very good. Does that answer your question, Mike?

A motion was made by McKay and seconded by Jaehnig to give the first reading only on the ordinance Accepting the Plat of Buckeye Hills Subdivision.

Motion passed.

Director of Law read the ordinance by title only.

President Ertel asked for second and third readings at the next meeting if no issues exist.

President Ertel: That completes my portion of it. Mr. Mayor?

Mayor Raizk - Given the length of the agenda, Mr. President, I have no report.

President Ertel: Thank you. Mr. Auditor?

Auditor – David Hollingsworth: I have nothing, Mr. President.

President Ertel: Thank you. Finance Committee. Sandy?

Council member Mongold – You passed up Asset, Acquisition & Use.

Clerk Laura Curliss – Sorry, we've got them mixed up on the agenda.

Finance Committee – Sandy Mongold – The first item, I would ask for a motion. I'm not making the motion to suspend the rules and regulations and give the second and third reading on the ordinance making supplemental appropriations.

A motion was made by McKay and seconded by Popp to suspend the rules and give the second and third reading on the ordinance Making Supplemental Appropriations.

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; Mongold, abstained; McKay, yes.

Director of Law read ordinance by title only

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; Mongold, abstained; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4783 passed as read.

Council member Mongold – The second item tonight is an ordinance Making Supplemental Appropriations and we have one item, from the General Fund to Civil Service Incidentals.

Council member Peterson – What are Civil Service Incidentals?

Council member Mongold – That is where all of the civil service testing that have to do.

Council member Peterson – That answers my second question of why is it an emergency. Thank you.

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

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4784 passed as read.

A motion was made by Mongold and seconded by Peterson to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4785 passed as read.

Council member Mongold stated they would schedule a Finance Committee soon, but the date had not yet been determined.

President Ertel: Water Committee?

Chair Wallace – Yes, we have someone who lives just at the edge of our district just behind the Clinton Swim Club; it's a 1" tap on an existing 8" city water main.

A motion was made by Wallace and seconded by Peterson to give the first reading only on the resolution Approving Access and Water Service to a Property Outside the City of Wilmington and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

Council member Wells – Mr. President, while we're in the Water Committee I would like to ask a question and make an observation.

President Ertel – The only thing is we're in the middle of this vote. Does it have something to do with this?

Council member Wells – Oh, you're going to have three readings?

President Ertel – Yes.

Council member Wells – Okay. Excuse me.

President Ertel – And then you can certainly bring up your point.

Council member Wells – Okay.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2097 passed as read.

Council member Wells – I attended the dedication of the Homeless Shelter Annex on Gallup Street and during that time – the Mayor was there – the Fire Department was filling up some equipment there and there is a fire hydrant at the intersection of Sugartree and Gallup at the top of the hill and the water pressure right there was sort of inadequate and I'm concerned about our ability to fight a fire with that fire hydrant. I know that the fire department checks these periodically. Do we have some reports? I was hoping that Nick would be here tonight, but do we have some reports or something to see if we are adequate or if we need to do something? If we're going to change parking with our Street Committee and where that hydrant is located I think somebody should take a look at that fire hydrant.

Mayor Raizk – We'll take a look at it tomorrow and check it out. What the fire department does with the hydrants is they flush them; they back flush them to make sure that they are operational and they do have some tests on them, but I think we really need to get Jerry to look at it for water pressure.

Service Director Larry Reinsmith – This goes back a long ways on that fire hydrant. I think it is fed by a 4" line.

Mayor Raizk – Yes, I think it has a small line. We may need to upgrade that line service there.

Council member Wells – I'm just kind of concerned with so many people in that area. For safety, I think you need to take a look at it.

Service Director Larry Reinsmith – I know most everyone at the fire department is well aware and they would never use that fire hydrant for firefighting capability.

Council member Wells – It's sort of in an awkward place, too, as far as parking.

Service Director Larry Reinsmith – I think it went all the way back to when Nick's Dad was on the fire department. That's how long ago.

Council member Jaehnig – Do they have other options in that area?

Mayor Raizk – They do have other options; they go down on Main Street to a big line and bring their hose up from there, but we'll check it out, Don. We may need to bypass that and relocate another one.

Council member Wells – Thanks a lot; I appreciate it.

President Ertel: Streets Committee?

Street Committee – Chairperson Peterson: We have two items; The first item is the second reading on the ordinance amending the traffic control map on Gallup Street

A motion was made by Peterson and seconded by Wallace to give the second reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File (Gallup Street.)

Motion passed.

The Law Director read ordinance by title only.

Council member Peterson: The second item is a third reading on an ordinance amending the traffic control map and the traffic control file on Mulberry Street.

A motion was made by Peterson and seconded by Wallace to give the third reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File (Mulberry Street.)

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by McKay and seconded by Jaehnig that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4786 passed as read.

President Ertel: Thank you. Solid Waste/Recycling Committee?

Solid Waste/Recycling Committee: Mr. President, I have nothing on the agenda. However, I spoke with Donnie Maher today and he created a report for us. I think everyone has a copy. You can see that our percentage is up, but we need more participation. We need to increase this. We need to save our landfill so look that over.

Service Director Larry Reinsmith – Our numbers could be better. I was listening on the police radio today and some woman had called dispatch and said there was a blue minivan going down Bernice Street stealing all of the recycling bags.

Council member Wells – That is true because my daughter had a recycling bag out and someone just stopped and took it.

Service Director Larry Reinsmith – Yes, so everybody is helping us with the recycling. And you know we have a truck that goes around in the morning that picks up metal and there is hardly any metal out there anymore to pick up. People are out all night long picking up all the metal that might be laid out at the curb.

Council member McKay – So it is ultimately being recycled?

Service Director Larry Reinsmith – Yeah.

Mayor Raizk – I think it is a sign of the economic times; the metal thing is getting to be a little bit out of hand. We had a home that was slated for demolition that we had been working on and one day I went by and I wondered if they had started on that house already because I didn't think all of the paperwork was done and it was a house with aluminum siding and they stole the aluminum siding and you could tell that it was not the past owner because they just took off what they could get easily. They grabbed it and ran and took it to wherever they could get some money for it. So it is a problem. Don, I did want to tell you that these numbers are great and they are getting better and we need to keep improving them as you say. I did talk to the county administrator about some dollars and he is going to work with us on that. By using Waste Management, we've eliminated some of the Hull costs because they are doing it for nothing right now and also for some more advertising. We need some money to get some things in there. It's been working real well, but I think we just need to go back and revisit what we do

take as recyclables I think would be interesting to have an article about that and with pictures. We find that some folks are putting things in there that we can't . . . I mean they are doing their best . . . they're doing the right thing, but they may be putting in some things they shouldn't be and so forth and it would be good to get more info out.

Scott Kirchner (from the audience) - On the issue of the bags disappearing I would offer a thought, concern, that while the metal might be being recycled out of those bags, the rest of it may be ending up in the landfill and perhaps we should consider some selective enforcement if we're seeing issues where people are taking those bags from the curbside. I know when we did the legislation, we specifically accounted for that concern.

Law Director Kathryn Hapner – Scott, we don't participate in selective enforcement.

Scott Kirchner – I don't know. We've parked cruisers in certain areas to slow people down before. At certain stop signs. I think we could watch certain routes when people put out their recyclables.

Mayor Raizk – Concentrated enforcement.

Scott Kirchner – Perhaps the routes that have a lower percentage of people participating. I would be concerned that anything not valued easily at, say, Wilmington Iron & Metal, might end up in a landfill as opposed to recycling, as it should be.

President Ertel - Wilmington Iron & Metal? Wait a minute.

(There was some joking around.)

Council member Jaehnig – I think Scott has a very good point though about where the rest of that may be ending up.

President Ertel – Oh, there is no question about it.

Council member Jaehnig - The city supplying bags to the citizens free of charge and all of a sudden the bags and everything but the metal is ending up back in the landfill. It's actually making our situation worse instead of better despite our citizens' efforts to try to improve the situation. I understand that these are hard times for many people and I don't see it ending in the near future and it's a real concern.

Scott Kirchner – I don't think it would take too many headlines of someone being nabbed for picking that up for people to realize that the city is watching.

Council member Wells – It's our landfill; it belongs to the citizens and the taxpayers. We're all in this together and we need to save it so we all need to keep our eyes open and help solve this problem. Thank you.

President Ertel – Just a side comment to that. I saw the blue van today and you know where I work. And there was also police officers there interviewing the . . .

Larry Reinsmith – Two white males?

President Ertel - There was an interview going on at that point in time. At the gut level the word is out. Please don't put it in the paper, (laughter) but anyway we find that at that level news passes pretty quickly because they usually don't read the newspaper. Anyway, yes, those persons were talked to today.

Council member Wells – Okay. Very good; that's great.

Wastewater/Sewer Committee? Committee Chair McKay – No report, Mr. President.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Committee Chair Mark McKay: We do have several items this evening. a couple of things tonight. The first item is the second reading on the ordinance establishing ward boundaries due to the annexation of the airport. There was a request to work on the wording on that ordinance and that is being accomplished, but it was not available for tonight's reading. It will be available for the final reading. That was the question that you had, Geoff, and others agree with you that it should be done with descriptive phrases rather than just the map.

A motion was made by McKay and seconded by Popp to give the second reading only on the ordinance Establishing Ward Boundaries in the City of Wilmington and Repealing all Ordinances in Conflict Herewith.

Motion passed.

The Law Director read ordinance by title only.

Council member McKay said he would anticipate the third reading at the next meeting.

Committee Chair McKay: The second item is we need second and third readings on the Workers' Compensation pool and declare an emergency.

A motion was made by McKay and seconded by Popp to suspend the rules and give the second and third reading on the resolution Authorizing Participation in a Workers' Compensation Pool and Declaring an Emergency, as Amended.

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

Director of Law read ordinance by title only

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

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

Motion passed.

President of Council declared Res. No. 2098 passed as read.

Committee Chair McKay: The third item is a second reading on the salary classification ordinance.

Council member Wells – Mark, I have a question about this. We've got two changes on the same ordinance and one is a reclassification and one is a completely new job title and if you want to vote for one and not vote for the other, they are both on the same ordinance and it's kind of a tough situation. We've got two changes on one ordinance without being able to discuss each one separately.

Committee Chair McKay – Of course, it was presented in committee that way and there was no concern at that point, but you bring it up now after we've already had one reading.

Council member Wells – Right, but this has just come to my attention. I have to vote on this sooner or later and it makes it an awkward situation. You have two different things. One is a simple change and the other is more complex and you have to vote for both changes and so I just wondered if anybody else was concerned about that.

Council member Peterson – Can't we vote it up or down as it is and then if we need to split it, go back to committee?

Committee Chair McKay - Sure, I guess that would be the proper way to do it.

President Ertel - Yes. If you feel that there are some issues, I would suggest voting no for it.

Council member Peterson – Actually, Don, you answered one of my questions. It's been so long since we had this committee. We were increasing a range on the preventive maintenance and this is a total new job description on the code enforcement.

Committee Chair McKay – No, it's adding that title to the Code Enforcement. It's Code Enforcement – slash – Engineer. Engineer was not part of the title.

Council member Peterson – But we're not keeping a Code Enforcement Official on the Position Classification.

Committee Chair McKay – I think that that position will remain available.

Council member Jaehnig – Well, it's not showing on here. Maybe this is a misunderstanding, but I thought this was a list of everything and it just showed the changes on the things that were going to be affected and by reviewing this, by the way I'm reading it, it's eliminating one and replacing it with a different and I thought in committee that one was going to remain and another one was going to be added.

Clerk of Council Curliss – The deletions are struck through and additions are in bold so you are adding the word "Engineer" to that Code Enforcement Official title.

Council member Peterson – But we're not keeping a separate Code Enforcement Official.

Clerk of Council Curliss – No.

Council member Jaehnig – But that's not what was discussed in committee, was it?

Council member Peterson – I think it was.

Council member Jaehnig – But in committee, wasn't it discussed that the original was going to remain, but an additional one with the engineer on the end was going to be added. That way if in the future, we were unable to find someone to fill that position with the degree or we decided we did not need that degree that we could go back to the original version.

Paul Hunter – The mayor so stated that in committee; it was going to stay unfilled.

Council member Peterson – I think we need to check the notes because the way I remember it the way it is written in this legislation is the way we agreed to it in committee. But I could stand corrected on that. I like the legislation the way it is.

Committee Chair McKay – We could take two courses of action. We could postpone the reading until we have these items clarified and bring the reading up the next meeting or we could vote on it.

President Ertel – You could amend it right now.

Chairperson McKay – Why would we want to amend it?

Council member Peterson – I would rather not.

Council member Wells – Can I ask another question before we vote on anything? I would like to know approximately if we do engineering, how much money will it save us from our current contract and will our code enforcement suffer if Mr. Blankenship is doing engineering work. Is there enough work for two jobs? I'm concerned about the percentages of what is being done.

Council member Peterson – Actually we talked about that in committee.

(Unable to determine speaker): Weren't you at that meeting, Don?

Council member Wells – Yes, but Paul Hunter brought up these questions and I don't think we got any answers.

Service Director Larry Reinsmith – I would just like to respond to a couple of those comments he made. I don't know where he got his numbers or what planet he's from, but you're changing that job title from a 20 to a 22 and Mr. Hunter kicked out numbers

like \$96,000 for that job classification and that's wrong. Mr. Blankenship makes \$59,000 a year and once he gets the raise, he'll be making \$62,000 a year. It tops out in that same range at \$79,000 and that's 15 years from now.

Paul Hunter – Plus 20%.

Service Director Larry Reinsmith – No! There's no 20% anywhere.

Paul Hunter – There is too – fringe benefits. That's the cost to the budget.

Service Director Larry Reinsmith – Everybody's got that, Paul. That's a common thread for everybody. His fringe benefits aren't going up anymore because he's doing a little extra duty.

Paul Hunter – You're challenging my figures. My figures are what they say they are.

Service Director Larry Reinsmith – They're false. They are totally wrong.

Paul Hunter – It doesn't top out at \$97,000 including fringe benefits?

Service Director Larry Reinsmith: No! No!

Paul Hunter – It does. A 120% of his top salary comes up to whatever I said it was; I don't have the numbers in front of me.

Service Director Larry Reinsmith – Well, you can't do that.

Paul Hunter - Why not. That's what it is going to be costing the public.

Service Director Larry Reinsmith – They're not voting on benefits; they're voting on a pay plan.

Paul Hunter – What?

Service Director Larry Reinsmith – They're voting on a pay plan.

Paul Hunter – I'm not saying that; that's a different thing.

Service Director Larry Reinsmith – I know it so why are you bringing up benefits.

Paul Hunter - It's the cost to the taxpayers and a cost to the budget. That's a (couldn't understand word) that you brought up; I didn't. I was just sitting here.

Council member Peterson – I just want to make a comment. We discussed this in the committee meeting and, as I shared at the last council meeting, I was concerned because I am a huge fan of code enforcement and I felt very comfortable with the plan that was put forward because we're doing some job restructuring within that department because I don't want that to lose any focus. I like the fact that we can move some of that engineering back within the city and not outsource it. I like the legislation the way it is, but we're just adding to that position and not creating a new position.

President Ertel – Just a suggestion, if we find in the future that the engineer title presents a problem for us we can always either drop it off or add it at a level 20.

Council member Peterson – I would rather not create a new position.

Mayor Raizk – One of the things that you have is that, if you remember, we went through a whole bunch of cleaning up where we came up with the position, we changed the position and the old position was still on there, but unfilled. So we ended up with a position ordinance that was very ????? because we said, "Who's this?" "What person holds that job?" Well, there were 12 or 15 job positions on there that we no longer used so by doing the upgrade and doing it this way, if you change from this, then you're going

to deal with that position, you're not going to say, wait a minute, I've got a Code Enforcement here, I'll give it to that person. It'll force you to re-evaluate and say, well, if we need a full-time engineer and we need a full-time code enforcement official, let's break these two and establish two different ranges. This way, I think, is much cleaner.

Council member Peterson – Frankly, I like this better, Don, because we have to come back to council if we're going to change it. Because I am so enamored with the code enforcement portion of this . . .

Council member Wells – But how much code enforcement are we going to lose?

Mayor Raizk – I don't think you're going to lose any.

Council member Popp – Cindy, what you refer to, there was also in that committee meeting there were two different times when we outsourced engineering projects and I think they amounted to \$30,000 where having Mr. Blankenship do them in-house saves us \$30,000.

Council member Jaehnig – If I remember correctly, in that same meeting, there weren't that many engineering projects that were popping up, but even with the three or four or five a year that would pop up, we could save a substantial amount of money.

Service Director Larry Reinsmith – Just as an example and not in his job description, several different times I know, Laura has gone over and she needs a legal description written on a piece of property for different functions and as an engineer he writes that legal description. If you take it to another engineer, they're going to charge you \$2,000 or \$3,000.

Council member Peterson – Another thing from that committee meeting, my understanding is a lot of the clerical duties that he was doing will be handled within the office and that will free him up to do more code enforcement work. He was doing a lot of clerical work, mailing notices so those are now handled within the department and not by him so he is offloading some of those responsibilities.

Scott Kirchner - Was there an additional position created for that?

Chairperson McKay – It was a change of position; it was a lower grade position; it was re-evaluated.

Service Director Larry Reinsmith – It was a change of personnel.

Scott Kirchner - So we upgraded another position to remove some of those responsibilities so we can upgrade this position?

Mayor Raizk and Council member Peterson both responded with “No, we downgraded that position.”

Mayor Raizk – The person who was filling that position – Neva – retired – she was a Range 10 and the person taking that position now is a Range 6.

Scott Kirchner - So he was filling in between Neva's departure . . .?

Mayor Raizk – No, it just really amounts to a significant upgrade in job performance from the support person.

Scott Kirchner - So we get it at a lower level? So they do a lot more and the pay is a lot lower?

Mayor Raizk – Well, they're doing their job.

Scott Kirchner – We have trouble finding that (couldn't understand a few words).

Mayor Raizk – They’re doing their job, Scott, and have a good skill set for that. But we wanted to do that because certain things we were having problems with that person making decisions that really were not in the realm of a support person and it ended up creating more problems for their superiors.

Committee Chair McKay – If I can, these are all very good questions, but if there is no other discussion, I think I would like to go ahead with the vote.

A motion was made by McKay and seconded by Peterson to give the second reading only on Amending Ordinance No, 4761 Establishing Classification and Salary Ranges for Certain City Employees, Repealing Ordinances and Parts of Ordinances in Conflict Herewith.

All council members voted yes except Wells who voted nay. Motion passed.
The Law Director read ordinance by title only.

Council member Wells – I would like to make a little statement. I voted “nay” because I still feel that this should be separated.

Committee Chair McKay – And we appreciate your feelings.

President Ertel – Certainly and it will be on the record as such.

Committee Chair McKay asked that the ordinance be on the agenda for a 3rd reading at the next council meeting.

Committee Chair McKay – Our next business is the ordinance authorizing the sale of personal property at auction. This is something we do every year.

It was asked what date had been set for the auction with the reply that it was September 27th.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Authorizing the Sale of Certain Personal Property Not Needed for Municipal Purposes.

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4787 passed as read.

Committee Chair McKay said there would be a Judiciary Committee meeting the next Thursday at 5:30 p.m. for 2 or 3 agenda items. We will put on the agenda the beginning of discussion for council receiving proper notice of meeting changes. This was something that was discussed at our informal meeting after our meeting of the 31st and Judiciary was to look at that so we will put that on the agenda and anyone who wants to respond to that can do so at that time.

Safety Committee – Committee Chair Don Wells introduced the resolution accepting a gift from T. Elliott Enterprises of a donation of \$420 to the Wilmington Police Department for the purchase of bicycle accessories for the bike patrol officers.

There were some questions and Asst. Chief Weyand responded that it would outfit the bikes with headlights, taillights and other accessories (there was some humor here, but words were not clear for transcription.)

Council member Jaehnig – T. Elliott Enterprises is who?

Asst. Chief Duane Weyand – Mark Elliott who has The Escape.

Committee Chair Wells – The same gentleman that donated a bike before.

A motion was made by Wells and seconded by Peterson to give the first reading only on a resolution Accepting a Gift (\$420 for bicycle accessories)

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2099 passed as read.

Committee Chair Wells - I would like to thank this gentleman for his generous donations to the bike patrol; it is greatly appreciated.

President Ertel: Downtown Revitalization Committee?

Downtown Revitalization Committee – Convener Sandy Mongold – I just want to remind everybody that August 29 is the next concert in the Mural Lot, the Buffet. The food and beverage starts at 5 o'clock and the band starts at 7 and goes to 10. There will be hamburgers, hotdogs, etc.

(The tape had to be turned at this point.)

President Ertel: Very good. Thank you. Parks and Recreation.

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

Service Director- Larry Reinsmith – Just a couple of items. Our southern loop project, we've made the run from the tower over and we tapped into the main at Southern State today so we've got that loop tied in already and now the only remaining part is that 2000 feet of upsizing pipe on Davids Drive there by Olinger. So we're about 80% done with that project.

Our sewer project on Darbyshire, we've got all the main in, all the laterals are tied in, we're into the restoration part of it right now and we should be repaving that street next week. That project went really well.

The cemetery sewer line I think bids towards the end of next week and our tennis courts, I guess they decided to put another layer of finish on that court. They said it would be so smooth, you could ice skate on it type thing. But that pushes that completion date until about September 20th. And I think Scott told me today that your last tennis match is September 17th. Timing is everything so it will give it plenty of time to cure out. But I think it is going to turn out really nice.

Council member Wallace – Yes, it is going to be really great. They're doing some landscaping today; it's starting to look like a real project now; it's going to be beautiful.

Larry Reinsmith – We had all of that rain that really slowed that project down, but we added plenty of storm drainage around that court.

Council member Wallace - I really appreciate Dave Allen because he is out there a lot. He has really held them to task. You always have some minimums that you can meet

and get by with, but he has made them do closer to maximum and I think he has done a great job for the city.

Larry Reinsmith – I think it will last a long time for us. That’s all I have.

President Ertel: Thank you. Safety Director? Nick is out of town

Reports:

A motion was made by Wells and seconded by Peterson to accept the Auditor-Treasurer’s Report for June 2008, Income Tax Receipt Summary for July 2008, Treasurer’s Statement of Interest Earned for First Six Months 2008 and the Auditor-Treasurer’s Report for July 2008.

Motion passed.

Reports accepted as presented.

President Ertel – At this point we would like to open the meeting up to any members of the general public or council to address council while in session. If you would please come to the podium and state your name and address for the record.

Scott Kirchner, 261 S. Mulberry St. – Just a little clarification as we go back in the history of the city. At some point wasn’t the Service Director also a professional engineer and could have done these engineering items?

Mayor Raizk – He was. He didn’t do that necessarily.

Scott Kirchner – We didn’t have that as a requirement for that position at one point?

Mayor Raizk – No.

Scott Kirchner - We didn’t split apart any duties at that point? We just happened to have a professional engineer in that position?

Mayor Raizk – Not to my knowledge that I remember in my time.

Scott Kirchner – O.K. I thought at one point the service director was required to be a professional engineer.

Mayor Raizk – Bob Holmes was a professional engineer; he was not a civil engineer. I think he was a mechanical engineer wasn’t he? So his certification wasn’t in civil engineering at all and you know how long he was service director was quite a lot of time. I’m trying to think of service directors before him that did not have any classification necessarily at that.

Scott Kirchner – Okay. I didn’t know if perhaps . . .

Mayor Raizk – It wasn’t part of the job description that I know of, Scott. And while he had an engineering background that made it good to oversee things and have a good knowledge of what he was looking at, he was not a certified civil engineer; he was a mechanical engineer. And he was not a surveyor either.

Scott Kirchner – Okay. My main point for coming up today was I attended the July 17 meeting and specifically intended to ask after having seen in the paper that we have advertised that the governor was returning to our city, to ask if there were any city funds used to advertise his appearance at a fund raising event that evening – whether any stationery, postage, any costs at all were borne by the taxpayers after having seen that occur in February. And at the 17th meeting I asked that question, but no one was aware of what the answer to that question was so I wanted to come and ask this evening.

Mayor Raizk – The answer to that question is, “No.”

Scott Kirchner – Okay. No funds from the taxpayers were used?

Mayor Raizk – No. Not a stamp, not anything.

Scott Kirchner – Okay. I think that is all I had this evening. Thanks.

President Ertel – Okay. Thanks, Scott. Any other persons wish to address council while in session?

Council member McKay – Mr. President, I attended the joint meeting of our statehouse committees this week and I just want to say on a very strong note that our mayor gave testimony and I was very, very proud of the way he represented our situation and our city. He really, really did well and I just want to say what a great job he did. Martin Godley who is in our audience also from the ASTAR pilots spoke and also did a very stellar job.

Martin Godley – Compared to the mayor I was a poor second.

Council member McKay – And I think the mayor spoke without notes, but he told the story well and the committees reacted.

Mayor Raizk – Thank you.

President Ertel - Very good. Any other comments or questions? (Seeing none.) Do I have a motion?

A motion was made by Popp and seconded by Wells to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in regular session on Thursday, September 4, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, September 4, meeting of Wilmington City Council to order, please. Roll call.

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

Assistant Chief Duane Weyand was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Popp to approve the minutes of the council meeting of August 21, as received.

Motion passed.

Minutes approved as received.

President Ertel: Set a Public Hearing for the CY 2009 ODOT Operating and Capital Assistance Grant for Public Transportation Services. It will be 7:30 P.M October 2, 2008 in council chambers.

A motion was made by Mongold and seconded by Jaehnig to give the second reading only on an Ordinance Accepting the Plat of Buckeye Hills Subdivision.

Motion passed.

Director of Law read the ordinance by title only.

President Ertel requested that the third reading be on the agenda for the next meeting.

Mayor Raizk: Thank you Mr. President. I don't have a lot this evening but I do want to announce that we will having, I think most of you will get, but I would like to announce it to the public, our traditional September 11th, at 7:30 am ceremony. Last year we really had a good turn out, the Legion has now joined us in that, and we are hoping they will do so again. We will have a nice brief ceremony at 7:30 am and invite everybody to come, if you can make it. Anyone in the community is welcome to come; it is not just for city employees. The County Commissioners, county employees and everybody has been joining us from there. We should have a nice ceremony.

Asset, Acquisition and Use: Chairperson Mongold - No report, Mr. President.

Auditor: David Hollingsworth – I have nothing, Mr. President.

Finance Committee – Committee Chair Sandy Mongold: We have several this evening; the first item is an ordinance Establishing A New Fund. It is from the Economic Development Fund.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Establishing A New Fund.

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4788 passed as read.

Chairperson Mongold - The second item on the agenda is Making Supplemental Appropriations. Are there any questions?

Councilmember Peterson: Can you just shed some light on Item E?

Chairperson Mongold: Would you like to explain that, Mr. Mayor? That is the item for the Economic Development Fund to Business Development Expenses. I can explain it, but I thought perhaps you would like to expound on it.

Mayor Raizk: We have been carrying in our books this amount of money from a long time ago; it goes back to our original water line project from Caesar Creek. For many years, we were not allowed to use it because of certain restrictions on the funds. Those restrictions have been lifted by the EDA from the Economic Development Agency and we are able to now, that's why we created a new fund for, so that we can use this in the pursuit of Economic Development. We will have some expenses upcoming, as you know we have applied for a new EDA grant through the OBDRC, did I get all the letters in there.

Clerk of Council - Yes, you did.

Mayor Raizk: I'm amazed. There are so many letters in here I can't stand it. The Economic Development Agency, I know you all have gotten some e-mails about the event on the 11th, that who is actually sponsoring that. That is where this money comes from; this money has actually been existing but we could not use it.

Councilmember Peterson: That's really the question.

Mayor Raizk: It's not new money or it's not something we have given out of general fund. Now it will be able to go into that line item and we will be able to use it for some of these projects. It is worthy of an explanation.

Chairperson Mongold: We are just putting it in line.

Mayor Raizk: But Mary Kay thought, rather than take, tracking it wise, taking it out of that line item would mean that the Auditors would say, okay, why are you taking it out of that line item, so now we need to create a fund to be able to spend it.

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

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4789 passed as read.

Chairperson Mongold: The third item tonight is also an ordinance Making Supplemental Appropriations and this is for the Fire Department. Actually, this is for a payment to Union Township for a grass fire vehicle that we are trading in on a new one.

A motion was made by Mongold and seconded by Popp to give the first reading only on the ordinance Making Supplemental Appropriations. (Fire Equipment)

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read ordinance by title only.

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

Roll Call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4790 passed as read.

Chairperson Mongold: The next item is an ordinance Making Miscellaneous Transfers. There are four items. Are there any questions?

A motion was made by Mongold and seconded by Peterson to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4791 passed as read.

Chairperson Mongold: The last item tonight is a resolution Declaring It Necessary To Light The Streets, Lanes, Alleys, Lands, Squares And Public Places In the City of Wilmington, Ohio, with Electric Lights, and for Special Assessments to be Levied to Pay the Cost thereof for the Year 2009. We are allowing a 5 percent increase from last year.

A motion was made by Mongold and seconded by Popp to give the first reading only on the Declaring It Necessary To Light The Streets, Lanes, Alleys, Lands, Squares And Public Places In the City of Wilmington, Ohio, with Electric Lights, and for Special Assessments to be Levied to Pay the Cost thereof for the Year 2009.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Res. No.2100A passed as read.

Water Committee: Committee Chair Mike Wallace - No report, Mr. President.

Street Committee: Committee Chair Peterson: We have one piece of legislation and I would like to ask for it to be postponed. There are a couple of challenges with regard to this. It hasn't been amended as we required at the last committee meeting. We need to make that amendment and also get a map attached to the legislation. I would just ask that that be on the next agenda.

Solid Waste/Recycling: Chairperson Don Wells - No report.

Wastewater/Sewer: Chairperson McKay - No report.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairperson McKay: We have two items tonight. The first item is the third reading on the ordinance Establishing Ward Boundaries, changing ward boundaries due to the annexation of the airpark. If there are no questions, I move for the third reading.

A motion was made by McKay and seconded by Popp to give the third reading only on the ordinance Establishing Ward Boundaries in the City of Wilmington and Repealing all Ordinances in Conflict Herewith, As Amended.

Motion passed.

Director of Law read ordinance by title only.

A motion was made by McKay and seconded by Peterson that the ordinance be passed as read.

Motion passed.

President of Council declared Ord. No. 4793 passed as read.

Committee Chair McKay: The second item is a third reading on the ordinance amending our classification ranges with two positions. You will note that we have added the position of Code Enforcement Official back into the classification range, which actually was the intent of Civil Service. We got a little confused on that. We appreciate Mr. Hunter's kind thought of that which helped on that. Any questions?

Councilmember Peterson: So do we need to amend the previous?

Chairperson McKay: I'll leave that up to the Law Director how we should approach this.

President Ertel: It has changed.

Director of Law: You need to present it as amended then. You're asking for a reading as amended.

Councilmember Peterson: We need a motion to amend and then for the reading. Okay.

Chairperson McKay: I would therefore amend this ordinance as stated.

Councilmember Peterson: I'll second that.

President Ertel: All in favor signify by saying aye, opposed nay. The ordinance is amended,

Councilman Wells: I have a request, too. Since we are having a new position added on the schedule and we have a range change on the same ordinance, I would like to request that we separate them under Rule 9 of the council rules.

President Ertel: Believe it or not, I do understand what Rule 9 is and that is single subject rule. These are both falling under the classification system. However, it can be spelled out if you want to do so. If it is the desire of council to split it out, if you want to make a motion and there will be a second, then we will vote on it.

President Ertel: Do you make a motion?

Clerk of Council: We have a motion.

Councilman Wells: I so move.

Clerk of Council: We have a motion on the floor to amend.

President Ertel: That's has been voted on.

Clerk of Council: Oh, it was, sorry.

President Ertel: Mr. Wells?

Councilman Wells: I so move to; I would like to vote on them separately.

President Ertel: Okay.

Councilmember Peterson: He needs a second on that so we can have a roll call.

Councilmember Peterson: I'll second that.

President Ertel: Now, the motion is to separate these two, into two separate motions, correct?

Councilmember Peterson: I'm seconding that so we can vote on it.

President Ertel: All in favor signify by saying aye, opposed nay.

All voted aye except Councilman Jaehnig.

President Ertel: Okay, we have just voted to split this into, correct?

Chairperson McKay: Could I move for a roll call?

Councilmember Peterson: We need a roll call.

President Ertel: Sure, let's do a roll call, if you prefer.

Councilmember Wallace: What am I voting on?

President Ertel: Splitting it into two.

Councilmember Peterson: I seconded his just so we could vote on it. I plan to vote not to separate it. Because I do believe anything that comes here we should vote on.

President Ertel: Let's do a roll call then. This is to split into two.

Roll call: Jaehnig, no; Wells, yes; Peterson, no; Wallace, no; Popp, no; Mongold, no; McKay, no.

President Ertel: So the motion is defeated to split and so now we are back to a single.

Chairperson McKay: Is there further discussion? If not, I would move for the third reading as amended, on the ordinance as amended.

Councilmember Peterson: I will second that.

President Ertel: All those in favor signify by saying aye, opposed nay. All council members voted "Yea." except Wells voted, "Nay."

Director of Law: An Ordinance Amending Ordinance No. 4761 Establishing Classification and Salary Ranges for Certain City Employees, Repealing Ordinances And Parts Of Ordinances In Conflict Herewith, As amended.

A motion was made by McKay and seconded by Popp that the ordinance be passed as amended.

President Ertel: All those in favor signify by saying aye, those opposed nay.

All council members voted "Yea." except Wells voted "Nay. "

Motion passed.

President of Council declared Ord. No. 4794 as amended and read.

Chairperson McKay: We do have one more which is a resolution approving Special Assessment to be levied on the taxpayers having to do with weeds and grass.

We have maintained for them because they have not taken care of that themselves and also utility bills which are deemed uncollectible. Anything out of the Utility Billing Department (inaudible). Any discussion?

A motion was made by McKay and seconded by Peterson to give the first reading only on the resolution Approving Special Assessments Pursuant To Chapters 923.09 And 929.03 And 1729.03 Of The Codified Ordinances Of The City Of Wilmington, And Declaring An Emergency.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2100 passed as read.

Safety Committee - Chairperson Wells- Tonight I have one item on the agenda and it is accepting a gift from the Camp Safety Company of a radar unit valued at \$895.00. Are there any question?

Council member Jaehnig- Who is that Camp Safety Company?

Safety Director, Nick Babb - They do all our changeovers on police cars. They do a lot of work for us.

Council member Jaehnig - This is just kind of a goodwill thing for them.

Safety Director, Nick Babb - Yes.

Councilman Wells - Any other questions or suggestions?

A motion was made by Wells and seconded by Peterson to give the first reading only a Resolution Accepting a Gift.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2101 passed as read.

Chairperson Wells - I would like to, Nick, say, "Thank you." to the Camp Safety Company for this donation. We appreciate it.

Downtown Revitalization Committee - Convener Sandy Mongold - No report.

Councilman Jaehnig: I like to say that the Downtown Alive sessions this summer were fantastic. It is too bad that the weather didn't quite cooperate but still they were there late having a good time and I applaud Main Street for a fantastic program.

Councilmember Mongold - Thank you; they were all very supported.

Mayor Raizk - To echo that, it is interesting because as these things gain more and more traction the word of mouth spread, which was just great, people were saying well what are they going to do in September. No, I said that was the last one for the summer. But so people are anticipating, well I hope they do that again next year. The response was just fabulous.

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

President Ertel - You are probably winding down your stuff out there too aren't you.

Council member Wallace - We have had a very active summer out there, a lot of activity.

It is time to get the winter work done. Tennis courts, if you haven't been by the high school lately, they have all the fence up. Actually they are supposed to start painting the surface or sealing the surface tomorrow. It has been two weeks since they laid the blacktop so 90% of the exterior work is done and they look like tennis courts. So it is time to get the surface painted and we are ready to play tennis. It is going to be a magnificent facility, it really is. I am very proud and I have said this before in here that Dave Allen has done just a terrific job on keeping them at task at the site. It is going to be something everybody in Wilmington can be proud of.

President Ertel - Now are those open to the public?

Councilman Wallace - Sure, it is city property; absolutely.

President Ertel - Are you going to have geriatrics leagues?

Councilman Wallace - If we don't have light and you can play out in the yard.

Service Director - Larry Reinsmith was on vacation and not present.

Safety Director – Nick Babb - No report.

A motion was made by Wells and seconded by Jaehnig to accept the Hotel Lodging Tax 2nd Quarter 2008 and the Income Tax Receipt Summary for August 2008.

Motion passed.

Reports accepted as presented.

President Ertel – At this point we would like to open the meeting up to any members of the general public or council to address council while in session. If you would please come to the podium and state your name and address for the record.

Richard Bracht, Pastor of Assembly of God Church, located at 609 W. Locust Street here in Wilmington, Ohio. It is good to see you Mr. President and Mr. Mayor and Council. I would like to just ask for consideration for a cross-signals, crosswalk signals to be put up at Farquhar and Locust Street. There is a heavy amount of traffic, pedestrian traffic because of school. A lot of kids walk to school that live close by that are not being picked up on busses and that would help the safety issue as far as that is concerned. I would like to ask if the Council would look into that and if it does get put up that it is put up on the far side, or the west side of the intersection, away from traffic so that cars are able to see pedestrian crossing a little bit easier.

Mayor Raizk - Richard, you now own the alley do you not, the church?

Pastor Bracht – It is split. The driveway is split between the Parkers and us.

Mayor Raizk - So if we do the crosswalk, are you going to allow the folks, to walk past, I'm sure they do now through your parking lot towards the village.

Pastor Bracht - They do now.

Mayor Raizk - I am only asking these questions so that when we look at this, we will look at it and look at the engineering and get CDS up here to look at it and look at it internally. But you want the crosswalk then to be on west side, that would be the closest to your church.

Pastor Bracht – The west side of Farquhar which would be the farthest away, the other side of the intersection away from the traffic that is stopped on Locust Street. The reason I am asking that before that, the crosswalk closes two issues. The crosswalk closes to traffic crossing there, when you cross over, the only sidewalk that is there is what goes down Locust Street to the east. There is no sidewalk because that is a residential house there, there is no sidewalk next to, when you come off of that next to the house. On the other side, the west side, when you cross over there you are actually at a sidewalk that goes west on Locust and/or goes north into our property, yes. But at least there is a sidewalk there for people to use.

Mayor Raizk - That is what I want to get clear so we will take a look at it and start looking at how we can do that.

Pastor Bracht - I think everybody is aware, that really the spotlight here, is the accident that happened a week ago yesterday, last evening, with Desiree Thomas, the daughter of Dave Thomas who is a firefighter here in Wilmington.

President Ertel - Do you suspect there will be in issues persons coming from, since the west side of Farquhar is the, that would be the Cancer Center, correct.

Pastor Bracht - The Cancer Center side of the street, yes.

President Ertel - Do most of the kids walk on that side or over on the other side, the east side?

Pastor Bracht- It is both.

Councilmember Peterson - I walk that area most days, that is part of my walk routine, and I pick which side of the street I want to walk on because there is not crosswalk and I think that habits would draw people to the west side if there was a crosswalk.

President Ertel - I was just wondering if there would be another safety issue crossing from someplace (inaudible).

Mayor Raizk - We will look into that right away.

President Ertel - Very good. Any other persons wishing to address Council? (Seeing none.) Do I have a motion?

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in regular session on Thursday, September 18, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, September 18, meeting of Wilmington City Council to order, please. Roll call.

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

Chief Hatten was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Wells and seconded by Jaehnig to approve the minutes of the council meeting of September 4, as received.

Motion passed.

Minutes approved as received.

President Ertel: I would like to have here a third reading on an ordinance to approve the dedication plat of Buckeye Hills Subdivision. Do we have any discussions?

A motion was made by McKay and seconded by Peterson to give the third reading only on an Ordinance Accepting the Plat of Buckeye Hills Subdivision.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by McKay and seconded by Popp that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4795 passed as read.

Mayor Raizk: Thank you Mr. President. It has been a busy week and certainly we have had our trials and tribulations and Larry is going to give a more detailed report about some of the damage. But I want to personally thank all the city workers for everything that they have been doing. They have been doing just a fabulous job of pitching in whenever they can. We met on this several times, but from Jerry at the Water Department, we made a decision to allow folks without water to come to the Water Department. You all have seen that, to get water, so that we could help provide for their needs and they have been taking advantage of it. I talked to Jerry this morning and that has been good in this emergency situation where those folks who still don't have power and obviously their wells can't operate. Everybody at least has been serviced pretty well with water here and DP&L has been working very hard. We have been in constant contact with them about getting power back on; we know there is several enclaves that still don't have and they are working very much to do that. Many of these places are where they need to make actual repairs and that is where it slows it down. Where they actually either have to replace wires or replace transformers or put up new poles and so forth. They tried to get as many people on as they could with just the clearing of debris, getting the lines up. Our hearts go out to everybody whose has been inconvenienced. We were just talking about the blessings that we have had with the moderate weather that has helped at least mitigate some of the effects of this storm in that we haven't had extreme heat where the air conditioning needed to be in place and we haven't had extreme cold. We have not had a lot of rain, although we need rain. At least at this point, it has been helpful for the crews to be able to work safely. I want to send my thanks out to everybody in police and fire and emergency ambulance and especially Denny's guys and all our crews, water and sewer who have been working around the clock trying to help with this and we will just keep on plugging. A couple of things just to mention to you is that as we have gone through we have identified some things where we think we are deficient, as you all remember taking your homeland security tests and so forth we have put together some disaster plans over the last several years with our emergency team, Mike Jones and Mary Kay serves on that, but as we prepared plans for the city one of the things that we identified was that the taxi facility,

one of our newest building and certainly a space that could be used, was early on identified as was required by the plan., a place for the court to operate in the event of a tragedy so that one of the first things to reestablish order is to keep the legal system functioning. We delineated our taxi facility as a second home for the courts to operate, the municipal court primarily. Phil Floyd, our new transportation manager, has identified that we do not have a generator down there. One of the things that became clear on Monday was people still needed rides or maybe they needed some help getting places and so forth so we quickly created a plan for the taxi so move up here where they could be accessed by our dispatch through the PD. As it turned out that was not necessary, the power came back on over there relatively quickly so we were not forced to do that, but it did point out the problem. We are going to purchase a large functioning generator that could work there, not only to just run the taxi and the dispatch, but also that would provide the heat and the air conditioning and that large space in there could be used as a shelter should that ever become necessary in the garage area. We think that is something we need to do and Denny's generator is an old World War II model surplus and we are going to replace that so we can make sure that we have adequate because he needs that to run the pumps to fuel our vehicles for the emergency so we have to do that. So those are a couple of things that you will be hearing about soon. Phil has money in line in his budget so we are going to go ahead and make that determination to get that going and then we will need to do something, but that will give us some generators that will help us to remain functional through this kind of sustained power loss. We really haven't had this quite this sustained before as Larry, I am sure will tell you, DP&L in our blizzard back in March, they had seven circuits down, is that correct Larry.

Larry Reinsmith: It was four or five.

Mayor Raizk: This time they had 50 circuits, so it was 10 times the outages that they had before. They are down to 4,000 people in the county, is that what Dave told you?

Larry Reinsmith: Yes, and that is down from 13,000 last night.

Mayor Raizk: They have made some good strides today.

Larry Reinsmith: They still have 90,000 out in their service area, and theirs is a 24 county service area. This was classified as a catastrophe event.

Mayor Raizk: But thanks everybody, Nick will you please share that with all your forces and Larry with yours. I think everybody did a great job. The only thing I just wanted to give you a little update, went back to Washington on Tuesday and before the Transportation Committee. I think our story is getting a lot more traction on Capitol Hill and we are getting, if some of you saw the broadcast, Chairman Overstar has said that he believes there is a prima facie case in this and hopefully they will continue to pursue that. Now whether the Department of Justice does that or not, we don't know, but the reality is that I think we have gained a lot of traction and we have made some strides. Every once in a while you know you are sitting there alone on an airplane trying to think did you do any good but I think we have. The relationships are still good between all the companies and the city, and I had some good discussion with the CEO John Mullen and of our goal of trying to regain control of the airport and I think he had said at least on the floor of those chambers, has been receptive to that, when has been asked that question by various legislators and he has also been receptive to our proposal that it be gifted and so we'll soon find out down the road how that is going to work out. We are going to continue to fight for these jobs and we are not going to lay down and I think everybody on the Task Force has been working very hard and all the different various venues. I think we are going okay, I really do. I appreciate everybody's support on these issues. If you have any questions, I will be glad to answer them sometime, but we got a pretty full agenda so I'll shut up. Also, I think everybody got this about Time Warner and I'm trying to be perfectly honest, I have no idea what it means and I know that in February I will become completely anachronistic because I have often used my phrase, "I'm an analog guy in a digital world" and I realize that in February the world is going digital and what the hell am I going to do then. But I have read through this, I am not really sure, if you all have questions we'll get Mike Rector up here and maybe he can explain it a little bit better. Thank you all.

President Ertel: Very good, thank you Mr. Mayor.

Asset, Acquisition and Use: Chairperson Mongold – We have a resolution tonight accepting the petition for the annexation of certain territory in to the city pursuant to Ohio Revised Code §§709.22 & 709.04 this is the Steinkolk Annexation. We previously legislated this, this has just come through the commissioners, and this is just accepting it.

A motion was made by Mongold and seconded by Peterson to give the first reading only on the resolution Accepting the Petition for the Annexation of Certain Territory into the City Pursuant to O.R.C. §§ 709.22 & 709.04.

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Resolution No. 2102 passed as read.

Auditor: No report.

Finance Committee: Committee Chair Sandy Mongold: We have several items this evening; the first item is an ordinance making supplemental appropriations.

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

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4796 passed as read.

Chairperson Mongold - The second item is one item, an ordinance making miscellaneous transfers.

A motion was made by Mongold and seconded by Peterson to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by Popp to pass the ordinance as read.

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

Motion passed.

President of Council declared Ordinance No. 4797 passed as read.

Chairperson Mongold: The next three items are creating new funds. The first fund is the Indigent Defense Support Fund. The second fund is the SCRAM Fund, all of these are related to the Municipal Court and it has to do with Senate Bill 17 and the third is Court Special Projects Fund according to the Ohio Revised Code 1901.26 (B)(1).

A motion was made by Mongold and seconded by McKay to give the first reading only on an ordinance Creating A New Fund. (Fund #284 Indigent Defense Support Fund)
Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read ordinance by title only.

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

Roll Call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ordinance No. 4798 passed as read.

A motion was made by Mongold to give the first reading only on an ordinance Creating A New Fund. (Fund #285 SCRAM Fund)

Councilmember Jaehnig – Sandy, what does SCRAM mean?

Clerk of Council Laura Curliss: It is a bracelet they wear on their ankle and it is for repeat alcohol offenders, OVI mainly. It can detect alcohol in the blood stream apparently. It has been used successfully in many states in the country.

Councilmember Peterson: Is this something we are going to be buying or are we contracting with somebody to furnish these?

Clerk of Council Laura Curliss: I think that is probably what the court is going to do.

Councilmember Peterson: We have to administer, just contract with somebody.

Director of Law Kathryn Hapner: The court is responsible for administering and I am assuming that they will contract with someone in the probation department.

Councilmember Jaehnig - What is the fee in this?

Clerk of Council Laura Curliss: There is a letter in your packet all about it.

President Ertel: Do I have a second on the motion.

Seconded by McKay.

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4799 passed as read.

A motion was made by Mongold and seconded by Peterson to give the first reading only on an ordinance Creating a New Fund. (#286 Court Special Projects Fund)

Motion passed.

Director of Law read ordinance by title only.

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

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

Director of Law read ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4800 passed as read.

Chairperson Mongold: The next item is a resolution Accepting Local Government Assistance Formula as Provided by the Clinton County Auditor.

A motion was made by Mongold and seconded by Peterson to give the first reading only on a resolution Accepting Local Government Assistance Formula as Provided by the Clinton County Auditor.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Resolution No. 2103 passed as read.

Chairman Mongold: The last item tonight is another resolution Accepting the Amounts and Rate as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

A motion was made by Mongold and seconded by McKay to give the first reading only on the Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read resolution by title only.

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

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

Motion passed.

President of council declared Resolution No. 2104 passed as read.

Water Committee: Committee Chair Mike Wallace - No report, Mr. President.

Street Committee: Committee Chair Peterson: We have one item. You recall we had the initial two readings on this. Initially the legislation was to remove parking from the far side of Gallup Street. We have since worked with the local residents and the committee and the Streets Department and have amended the legislation to remove

parking on Sugartree (missed a few words) so there would be a better turning radius. The first thing I would like to do is move to amend the legislation.

A motion was made by Peterson and seconded by seconded by Jaehnig to amend the legislation

Motion passed.

President of Council declared legislation amended.

Mayor Raizk: Cindy, may I ask a questions? We are still having then for most of Gallup parking on both sides?

Committee chair Peterson: Yes, parking on both sides for most of Gallup.

A motion was made by Peterson and seconded by Mongold to give the third reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File, As Amended.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by Peterson and seconded by Jaehnig that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4801 passed as read.

Solid Waste/Recycling Chairman Wells: I have no report tonight, but I would like to thank the citizens for recycling as much as possible. I could hardly carry the bag out to the street for all the jars as we were throwing things away. It seems like there are a lot of blue bags out at the curb this week. I would like to thank everybody for recycling, saving our landfill.

Director of Public Service, Larry Reinsmith: We had about 200 bags yesterday full of leaves. The wind was very strong because we saw blue bags in Clarksville and Blanchester sitting right next to the Rumpke dumpsters. It was a strong wind.

Wastewater/Sewer: Chairperson McKay - No report.

Judiciary Committee: Chairperson McKay: Yes Mr. President, we do have an ordinance of which we will be asking for the first reading. This is a small change in an ordinance that has to do with transport of juvenile curfew violators. This was brought to the attention of the committee by Assistant Chief Weyand and it helps the Police Department not waste their time when they pick up curfew violators.

A motion was made by McKay and seconded by Jaehnig to give the first reading only on the ordinance Amending Section (C) of Chapter 509.10 of the Codified Ordinances of the City of Wilmington.

Motion passed.

Chairman McKay requested the next reading be on the agenda for the next meeting.

Committee Chair McKay: The next item is a resolution authorizing submittal of a proposal for an Ohio Department of Transportation Grant. Are there any questions or comments about this?

A motion was made by McKay and seconded by Peterson to give the first reading only on the resolution Authorizing the Submittal of a Proposal with the Ohio Department of Transportation for a Grant Through the US DOT Federal Transit Administration (FTA), As Authorized Under Federal Transit Law, As Codified, 49 USC Section 5311, Financial Assistance for Other Than Urbanized Areas and Funds Available from the Ohio Public Transportation Grant Program and Executing a Contract with the Ohio Department of Transportation Upon Grant Proposal Acceptance.

Motion passed.

Director of Law read resolution by title only.

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

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

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Resolution No. 2105 passed as read.

Safety Committee - Chairperson Wells: No report, Mr. President.

Downtown Revitalization Committee : Convener Sandy Mongold - No report.

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

President Ertel: Mr. Service Director would you like to give a report?

Director of Public Service Director: - Larry Reinsmith: The Mayor covered some of the stuff, but we will repeat it anyway. Like he said, according to DP&L we still have about 4,000 people out of service in Clinton County, which is down from 13,000 last night. I drive the town every night; you can kind of see where everything is coming back on line. We have had some big areas, I know Southridge come on line last night. It was a big area that was out. We still got an area out behind Pizza Hut, a little bit in McDermott Village, just a little bit in Timber Lane, and spotty ones, like Leilani. But you know they still have 90,000 people out and there is no rhyme or reason of how they do these. I talked to a service guy today and he said basically, he came in from North Carolina, they just assigned me a circuit HH1 or something like that. He starts at a substation and takes off and works everything along that circuit. He was over on A Street today and he was going to end up out on Center Road. He was just kind of working that, he wasn't working the City of Wilmington. We have had a lot of people calling in and accusing DP&L of everything. But they have a priority list like we do when we plow snow and they hit the hospitals first, they hit schools, they hit water treatment plants, wastewater plants. They try to get all those things on line first. At the same time, they work those circuits and they also pick up subdivisions and things like that. They got over 1,000 workers in the area, working their area, working 24 /7 they said. They've got workers from seven different states. They estimate having everybody's power back on by Sunday evening and the only exception would be those that have drops that were torn down,

individual drops and those are going to take a little longer. Some of them have some real messes where trees have taken out there drops. I think we just have to cope with it. Like I said earlier there were over 50 circuits locked out and before they could turn on the substation they had to get all the trouble cleared on those lines and sometimes they would clear them, start them back up and things would arc and start fires and everything else and they had to shut them back down. I think it shows some of our weaknesses, I mean we all saw our own weaknesses at our houses when we knew we didn't have enough batteries or enough candles or any transistors radios and you think your O.K., you can do it for about two or three hours or a day maybe, but after the second or third day things get a little exciting. I told the Mayor I was out riding the neighborhood last night over on A Street and one of the neighbors over there on the corner, he had set up about 50 chairs and he had a free movie and hot dogs and they had a movie being broadcast on the side of a house. It was pretty neat. It was a big picture. That whole neighborhood was totally black, but this movie was being shown on the side of the garage. It was pretty neat.

Mayor Raizk: That is a great example of neighbors helping out.

Director of Public Service: I know our secretary she was out and she said the guy come up and was handing out pamphlets earlier in the day and said hey there is going to be free movie and hot dogs tonight down here on the corner. Everybody kind of worked together. Hopefully, we can get that area out there behind Pizza Hut on tomorrow. That signal out there is a troublesome signal. We had other problems we were facing

like the water plant, we have two 1500-gallon gas tanks there for our generator, we figure we had about three days worth of run and we used them all. But maybe we need to look at a natural gas generator; that is something we might think about. We sold water again to Western Water, they were in trouble and all their booster pumps coming up from Cincinnati were, they had no power for those, we helped them out again. This is the second time we have helped Western Water with water. That worked out good.

We finished our sewer project on Darbyshire and got it paved out. We are opening bids tomorrow on the sewer project going through the cemetery. We are engineering our street urban paving project and we are doing repairs out on Davids Drive that they had some problems with and they repaired them yesterday. We told them today that they would have to redo them again.

Councilman Jaehnig: Larry, one of the things I noticed, as I had to travel all over the place this past week, is there a reason we don't or could we get to a point, a lot of the communities I was in where there was a signal out in the center of the intersection they had 4 way stop, like a stop sign on a

Larry Reinsmith: On a pedestal.

Councilman Jaehnig: They just had it on light horses, just something. Because I know that very first day the police were chasing down accidents, after everybody got used to it they got pretty used to stopping. But I know at first it was real bad.

Larry Reinsmith: We have 30 signalized intersections, and they were all out.

Councilman Jaehnig: I understand that, but the downtown intersection was out for many days. The intersection over by Pizza Hut is still out and I would think at some of the major intersections something of that nature might be helpful unless there is a reason that I don't understand and why it's a bigger problem than a help.

Larry Reinsmith: They were saying the state law says that in the absence of a street light signal, the state law says it becomes a four way stop or whatever. People were really pretty good. I was amazed at how good some of the intersections really served with people coming up and going and taking their turn. Every once in a while you would get somebody flying through.

Councilman Jaehnig: I think it had more to do with that first day until people got used to it. But some of those major intersection, if you are from out of town and you are not aware that it is there, especially at night when it is dark, that is when things were getting kind of hairy. I know that Monday morning at 5:00 am when I was going through town, it was dark and besides being dark, we had people blowing lights that just had no idea I think they were actually coming up on.

Mayor Raizk: There is a misconception that when a traffic light is out, if you are on a through street you have the right-of-way. Thank goodness, the people on the radio have been helping to straighten that out. When there is no power at an intersection it becomes a four way stop and all the four way stop rules apply.

Larry Reinsmith: Listen to Willie, Willie will straighten you out.

Mayor Raizk: Willie did a great job, but there isn't any directional right-of-way when the traffic signal is out. A lot of people assume that there is, I was honking to the guy up by the hospital because he was coming down and he was, he kept on going and I just honked, cause he was on a one way and he thought that was a through street and Farquhar shouldn't be a stop. I said no, I just kept honking at him trying to track him down. It kind of made me mad that people weren't stopping. That is a good suggestion; we will take a look at it.

Larry Reinsmith: We have a few stop signs on pedestal bases that we can set out there.

Mayor Raizk: Maybe we can come up with a series of those kind of things to pop around.

Larry Reinsmith: I heard a woman on the radio talking about a company that sell those signals. They say a cop has to set there and with a remote control and flip them. How many cops do we have to do that?

Councilman Jaehnig: They have more important things to do.

Larry Reinsmith: I would think so.

Safety Director – Nick Babb: Sunday afternoon in dispatch was interesting. I was up there for a while. Two dispatchers and Assistant Chief Weyand were there. It was all they could do to keep up with the 9-1-1 calls. They did a great job. I want to thank our dispatchers, fire department, police department, especially those who were off duty and came in to help us out. We did look at, in fact Dave Allen and I discussed this a couple of weeks ago. We have a quote from a company to operate this intersection and this one over here converting it to LED lights with a back up battery system. Only downside to that, they only last 8 to 10 hours and \$17,000 for two intersections. I wasn't coming through Wilmington at 5:00 in the morning, but for the most part I saw one guy go through an intersection but for the most part people did a pretty good job. The only topic or concern we have right now, as you know we put a new radio system out on the water tower out on Nelson for our tornado warning system and that has no power. Our back-up battery for that has long since died. If we had a weather front coming in Chief Hatten would be sending a cruiser out there to jump that radio to operate that radio but that is not a good solution to the problem. We may be coming to safety and finance for some small generator out there. We may look at some other alternatives too, because that is a remote location to have a fuel source out there.

Mayor Raizk We may look at solar batteries too.

Safety Director-Nick Babb: I don't know if that radio can operate on that.

Mayor Raizk: Can it operate that way, I know some of the traffic lights have solar batteries.

Safety Director – Nick Babb: I don't the power of that radio when it emits a signal. We will be looking at different alternatives to correct that problem. We never thought the power would be out this long. But as I speak right now it is down. Other than that, any questions for me?

Councilman McKay: The sirens were not set off, is that correct?

Safety Director – Nick Babb: Right. We got nothing from the National Weather Service as far as . . . just a high wind warning.

Councilman McKay: I just wondered in the future if there would be a thought, and I mean it was real bad situation, I don't know how you make a judgment on that.

Safety Director- Nick Babb: We could look at that protocol; our protocol just covers tornados right now.

Mayor Raizk: We had no indication from anybody, none of the power companies, when talking to their high-level spokesmen, we had no warning, as Rob and I were talking about before council started. One of the televisions station said the forecast was breezy.

Safety Director – Nick Babb: Coincidentally I was talking to my daughter in Arkansas and they got the brunt of that storm. It didn't hit them as hard, but they were saying down there, the weather people, that they thought the Ohio valley was going to really get hit by this. They knew it down there.

Paul Hunter: They said Sunday morning there was going to be a wind advisory, high winds.

Mayor Raizk: They didn't have a warning or anything like that that was any protocol.

Director of Public Service – Larry Reinsmith: Some of the other damage that was received was out at the reservoir. You never think about this, but it could be a lake really and you know we put riprap around part of that basin this year and had that all repaired. They had four and 5-foot waves in that reservoir that washed out a whole other section here. There was a lot of damage over 8 or 9 hours of that wind and those waves. It even eroded it where the brick was and took it out. We have a little more work out there.

A motion was made by Peterson and seconded by Jaehnig to accept the Auditor-Treasurers report for August 2008.

Motion passed.

Reports accepted as presented.

President Ertel – At this point we would like to open the meeting up to any members of the general public or council to address council while in session. If you would please come to the podium and state your name and address for the record.

Paul Hunter, 200 Randolph Street, Wilmington: At the last council meeting that Mr. Reinsmith attended he made a couple of remarks challenging both my integrity and my planet of residence. In response to Mr. Wells' comment that I had brought up some questions about two classification actions Mr. Reinsmith blurted out from the audience and I quote, "I don't know where he got his numbers or what planet he's from" and "Mr. Hunter kicked out numbers like \$96,000 for that job classification and that's wrong." Apparently not realizing that the general fund's portion of employee's fringe benefits are a percentage of their earned income, he stated "His fringe benefits aren't going up anymore because he's doing a little extra duty," not factual. What I had actually said in my presentation to council and in a letter to the editor was that "One of the four jobs will eventually cost the taxpayer's general fund \$95,000 per year." This number reflects the information from the city pay ordinance plus fringe benefits such as pension contribution, Medicare and worker's compensation. If one adds in health insurance, the number is significantly higher. I have brought these facts to Mr. Reinsmith's attention and requested that since he had made the disparaging and untrue remarks about my integrity, in public, he should if he were a person of honor, correct the record in public. After all, I am one of his employers. That fact that I am standing before you at this time speaks to the question of honor. Thank you.

President Ertel: Thank you, Paul. Mr. Reinsmith.

Director of Public Service – Larry Reinsmith: I am not going to get into a mud-wrestling contest. I was told by another mayor to never get into a mud-wrestling contest with a pig. After while you realize you are going to end up really muddy and find out the pig really enjoys it. I am just not going to do it and I am not going to apologize to you, Paul. It is done and that's over with.

Paul Hunter: I didn't expect you to Larry.

Director of Public Service – Larry Reinsmith: I just expect you to quit your whining. You never let anything die after it goes on and on. I still hear complaints about the Wal-Mart sign. You just won't let anything die.

Paul Hunter: You're talking through your hat.

Director of Public Service – Larry Reinsmith: There is only one person who is going to judge me on that day and it's not going to be you.

Paul Hunter: So I can shut up and never say anything contrary to your feelings.

Director of Public Service-Larry Reinsmith: What I'm saying is that I have lost all respect for you. The things you do.

Paul Hunter: You never had any, Larry.

Director of Public Service – Larry Reinsmith: He was out trespassing on a person's property out on Nelson Road and the man stopped him and said what are you doing? I'm Paul Hunter. The man said what are you doing here? I'm doing a little research for the city. You represented yourself as an employee of the city.

Paul Hunter: You're talking through your hat again.

Director of Public Service – Larry Reinsmith: I had another party tell me that you were dumping all your trash into a dumpster at church and they told you to stop doing that you drove through their church. They let you dump there to help them out and then they have a yard sale because they are struggling and what do you do, you call the police and tell them they have three signs for the yard sale.

Paul Hunter: You are a man with no honor and I will maintain that and it is provable in this particular case. I wish you a happy and early retirement, Larry. I'll be happier and the city will be better off.

Director of Public Service - Larry Reinsmith: I wish you something, but I won't do it right here.

Dick Unger- 1036 N. Lincoln Street: I don't have anybody to yell at or anything. I just want to bring something up that was brought up three years ago this month. I stood before you to advise you of a dangerous travel route for walkers and people who ride bicycles. I used to ride my bike on this road going to shop at Lowe's, Ace Hardware, Generations, city park and other businesses in the Rombach shopping area. Twice I was almost hit by a car so I no longer ride my bike to shop at these businesses or go to the park. Mr. Unger concluded by asking council to address this problem as he asked them three months ago.

Mike Curry introduced himself to the audience and discussed his campaign for re-election for Clinton County Commissioner in the upcoming election.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in regular session on Thursday, October 2, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, October 2, meeting of Wilmington City Council to order, please. Roll call.

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

Assistant Chief Weyand was also present.

A motion was made by McKay and seconded by Jaehnig to excuse the absent member. Motion passed.
Councilmember Wallace excused.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Peterson to approve the minutes of the council meeting of September 18, as received. Motion passed.
Minutes approved as received.

President Ertel: I would like to have a public hearing on Proposals for the 2009 Transportation Capital and Operating Assistance Grant and for the Ohio Elderly and Disabled Transit Fare Assistance Program from the U.S. and Ohio Department of Transportation. I would like to open that please. Anyone here who would like to discuss that, Mr. Floyd?

Director of Transportation – Phil Floyd: Yes sir, Mr. President. The grant submitted last fall was originally described as a 2-year application for the 2008-2009 years. However, the Ohio Department of Transportation has issued a new application process for the calendar year 2009, requiring a new proposal for the federal allocations for operating funds plus capital funds to replace two transit narrow body vehicles, wheelchair accessible vans. We have already received notice of the approval for state operating funds and the elderly and disabled program operating funds, which will stay the same as 2008. The state allocation will be \$153, 847; the elderly and disabled allocation will be \$53,468. Again, that is the same amount received for the year 2008. Federal allocations will be determined sometime in mid November after the grant proposal is reviewed.

We submitted the proposal on September 25, 2008, data from the year 2007 through the third quarter of this year will be analyzed to make the determination of the funds available to us for 2009. We have submitted our budget for 2009, and are requesting an increase in federal assistance from 2008 funds, which also could include fuel supplement dollars. There was a provision in the application, which we applied for, which will actually be determined in mid November. Given the ridership numbers that we provide and the projected numbers for 2009, we believe that we have a good chance of receiving the amount we are requesting. We have a projected ridership of around 125,000 passengers this year based on year to date figures. Our drivers will travel 487,000 miles in 2008. In 2009, we expect those numbers to increase about 5%. Are there any questions? Okay. I would also like to mention, as a plug, that we are now offering gift certificates that can be purchased at the cab office. This is something that has been asked for by the public and we are happy to provide those. We also ask everyone attending tonight's public hearing to please sign an attendance sheet, which we will include with the minutes from tonight,'s hearing when we send them on to the state. Thank you.

President Ertel: Any additional questions? Okay, we are good. Thank you. I would like to close the public hearing at this point.

President Ertel: I would like to set a public hearing for November 6, 2008 at 7:30 pm in council chambers regarding Junk Vehicles and Ordinances Concerning the Same. That will be held November 6, two meetings from now. At that point, that finishes my portion of the agenda. Mr. Mayor.

Mayor Raizk: Thank you Mr. President. Just a couple of things I want to acknowledge Phil Floyd, he has just done an outstanding job in taking over our Transportation Department mid-stream and has not only continued Jeanne's outstanding work, but has brought his own particular qualities of attention to detail and really doing a great job of streamlining our operation making it better and enhancing it. Thank you, Phil.

The other thing I wanted to say is, just for everybody's knowledge, we have been participating with HFC and the Bureau of Workers' Compensation on our workman's comp and we have received a check of \$3,197 because of the great work we are doing and again kudos go out to Dan Mongold who has just done an outstanding job. We have met our participation eligibility to receive the 2% discount and so he has really saved the city a lot of money in the way he has been handling workers' comp. Those two items all I have for this evening. Thank you.

President Ertel: Thank you Mr. Mayor. I would like to get started on committee reports.

Asset, Acquisition and Use: Chairperson Mongold - No report.

Auditor: David Hollingsworth: Mr. President, before each councilmember, and I believe yourself as well, there is a copy of the most recent annual audit report that has been completed by Clark, Schaeffer and Hackett. It is not part of the reports being at the end of the agenda, but just take your time. When you have a hard time sleeping at night, read it. We received a clean opinion.

Finance Committee: Committee Chair Sandy Mongold: We have an ordinance tonight making miscellaneous transfers. There was a misspelled word in the original one that was mailed to you so you have a corrected copy in front of you. It was PIT on the first one and it is PTI – Permit To Install. Are there any questions?

A motion was made by Mongold and seconded by Peterson to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Popp, yes; Mongold, yes; McKay, yes. Director of Law read the ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Ordinance No. 4802 passed as read.

Water Committee: Committee Chair Mike Wallace – Absent.

Street Committee: Committee Chair Peterson: We have no legislation, but I do want to announce that we have a Streets Committee meeting scheduled for Tuesday, the 14th at 5:30 pm and we have three agenda items, crosswalk on corner of Farquhar and Locust; 2008 paving project for 2009 preliminary budget review. We are probably going to schedule another Street Committee for later in October and November so if any members of council have any other agenda items that they would like to discuss get back to me. That is all I have, thank you, Mr. President.

Solid Waste/Recycling, Committee Chair Wells: Mr. President I have no report tonight this evening, however, I would talk a little bit about our recycling bag procedure. We changed slightly; you will notice that we don't have bags in the lobby downstairs now. We have post cards instead. What we encourage people to do is pick up a post card and send it in and your bags will be delivered to you and you can also call the landfill and they'll mail them to you as well. We have changed our procedure a little bit so I have

had a couple of questions about that so I wanted to make it clear so people would understand.

Councilmember Peterson: I thought we were just out of bags.

Committee Chair Wells: We've got bags; we just have a new procedure.

Councilmember Peterson: Because I am assuming we had bags.

Councilmember Jaehnig: We had bags everywhere that was the problem. Especially after the storm, the entire county used our bags.

Mayor Raizk: We were tracking them in Sabina, Blanchester and Port William. The one thing that we did start prior to that was if you came and picked up the bags there was a card attached that all you had to do then was send and our folks would deliver the bags to you. It would be kind of like the system where we say when you are done you know send the card in and we will bring you more bags. It would be more of an involuntarily system. What we were finding is that you know . . .

Committee Chair Wells: So if you need bags get a post card and send it in and they will be delivered. Thank you.

Councilmember McKay: I probably missed this; it has probably been around for a long time but I saw our truck that apparently picks up our blue bags has a really neat sign on it that talks about blue bags and save our landfill. I just thought that was just a nice piece of property.

Committee Chair Wells: You will probably be seeing some of increase in advertising in the near future.

Councilmember McKay: Has that been on there awhile, that sign?

Mayor Raizk: A couple of months.

Councilmember McKay: I just spotted it.

Mayor Raizk: We want to do them on all the packers, too.

Committee Chair Wells: Save our landfill, it's ours.

Wastewater/Sewer: Chairperson McKay - No report.

Judiciary Committee: Chairperson McKay: We'll slow things down here just a little bit tonight. The first item we have is the second reading on the ordinance amending the procedure for transport of curfew violators and as I said last meeting this was brought to our committee by the Assistant Chief who is in attendance here tonight. Just a way to kind of streamline this procedure when curfew violators are picked up. If you have any questions at all, I am sure he will be able to answer them for you.

Councilmember Peterson: I think this is a great improvement.

Councilmember Wells: I would like to ask a question. "Would you please state for us the hours of the curfew?"

Assistant Chief Weyand: It is on Sunday night through Thursday 11:00 pm to 5:00 am. Then on Friday and Saturday night's it is midnight to 5:00 am.

Councilmember Wells: Thank you

A motion was made by McKay and seconded by Popp to give the second reading only on the ordinance Amending Section (C) of Chapter 509.10 of the Codified Ordinances of the City of Wilmington.

Motion passed.

Chairman McKay requested the final reading be on the agenda for the next council meeting.

Committee Chair McKay: The next item is a resolution authorizing submittal of a portion Transportation Grant that has to do with Elderly and Disabled. Phil is still here with us tonight if you have any further questions regarding that, I know he mentioned that in his talk that he gave us tonight. I think that is a \$53,000 number. Are there any questions?

A motion was made by McKay and seconded by Peterson to give the first reading only on the resolution Authorizing the Execution of a Contract with the Ohio Department of Transportation for the 2009 Elderly and Disabled Transit Fare Assistance Program and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read resolution by title only.

Committee Chair McKay: I did not mention that there is a time factor on this and that is the reason we are having three readings and passing this as an emergency,

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Resolution No. 2106 passed as read.

Committee Chair McKay: Our next item is rescinding the ordinance regarding our wards that we passed early last month and there was some wording that needed to be changed on that. Because this was not passed as an emergency, it is not yet in effect, so this is the way we solve that situation. Are there questions?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Rescinding Ordinance 4793 and Declaring An Emergency.

Motion passed.

Director of Law read ordinance by title only.

Committee Chair McKay: Because this does need to be passed prior to the 30 days, I make . .

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ordinance No. 4803 passed as read.

Committee Chair McKay: The next item is the new ordinance, which is replacing the one we just we rescinded with some slightly different wording, a little bit more refined and a little bit easier to follow. We are told by the Board of Elections Director, Betsy Hart, that this does not require emergency passage because it does not apply to this year's election process.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Amending Codified Ordinance §§ 103.02, .03, .04, and .05 Establishing Ward Boundaries in the City of Wilmington.

Motion passed.

Director of Law read the ordinance by title only.
Committee Chair McKay requested the second reading on the agenda for the next meeting.

Safety Committee - Chairperson Wells: No report, Mr. President.

Downtown Revitalization Committee : Convener Sandy Mongold – There is going to be one more concert in the mural lot and that will be October 24th. It is going to be Streetwise; that is the band playing. It is because the last concert we had some rain and there is some leftover refreshments. We need to have another concert to use up the refreshments. Mark that on your calendar.

President Ertel: October 24th correct.

Convener Mongold: October 24th. Just so you know what is going to be happening downtown, starting in November the weekend after Thanksgiving will be the open houses for the downtown merchants, that's the Holidazzle parade, that would be the 28th and 29th of November. Thank you.

Parks and Recreation Committee: There was no report.

Councilmember Jaehnig: I think the one thing he would like to mention is the ribbon cutting for the tennis courts 3:30 pm on Monday.

Councilmember McKay: The Judy Gano Trail is well underway.

Councilmember Jaehnig: We are expecting a ribbon cutting on that 28th.

President Ertel: I think that will probably be completed by the weekend. I was talking to the gentleman today and he said he wanted to get that done before the rain.

Service Director: Not present. Mayor Raizk indicated there was no report.

Safety Director: Not present. Mayor Raizk indicated there was no report.

A motion was made by Wells and seconded by Peterson to accept the Income Tax Report for September 2008. (a correction from the agenda that indicated it was the August report as pointed out by Geoffrey Phillips)

Motion passed.

Report accepted as presented.

President Ertel – At this point we would like to open the meeting up to any members of the general public or member of council to address council while in session. If you would please come to the podium and state your name and address for the record.

There was no response.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in regular session on Thursday, October 16, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, October 16, meeting of Wilmington City Council to order, please.

The Pledge of Allegiance was given.

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

Assistant Chief Weyand was also present.

A motion was made by Peterson and seconded by Wells to excuse the absent member. Motion passed.
Councilmember Mongold excused.

A motion was made by Jaehnig and seconded by Peterson to approve the minutes of the council meeting of October 2, as received. Motion passed.
Minutes approved as received.

President Ertel: At this point I would like to introduce Mike Hammond, and he is the Executive Director of the Miami Valley Risk Management Association and he is here to present a Safety Award to the City. Am I correct on that?

Mike Hammond: Members of Council, I am very pleased to be able to be here this evening representing the Miami Valley Risk Management Association. Just a little bit about our organization, we are an association of 20 select municipalities in Southwest Ohio and the City of Wilmington is one of the six charter members of MVRMA. This year we are celebrating our 20th year of operation and we are pleased that Wilmington is actually a charter member. The reason I am here tonight is annually our organization does a safety performance evaluation checklist that is conducted by our Loss Control Manager. We do that for each one of our members. This is a vehicle which members risk can be reduced by the application of what we call best practices in municipal operations. This is a very extensive evaluation of all of your operational areas in regards to safety and loss related issues and practices. Additionally, we assist our members in compliance in all these areas by providing training and model policies for them to adopt. Our last board meeting in September, the Board of Trustees of our association recognized the City of Wilmington as the recipient of the Ascension Award. This is an award for the member with the most improved percentage overall of the safety performance evaluation checklist. To give you just a few numbers, your overall score, this is a comprehensive evaluation. There is a total of five hundred points on the evaluation. But your overall score increased from 73% compliance rate the previous year, to a 92% compliance rate this current year. We believe that is an exceptional significant accomplishment for the City of Wilmington as well as for your employees. I would like to acknowledge both Laura Curliss and Danny Mongold for their contribution to that effort. Laura as you may know serves on the Board of Trustees of our association, Laura also chairs our Risk Management Committee; she is a very valued member of our Board. Danny as your HR Director and your Safety Director was actually the driving force behind the improved spec performance score and your safety program. However, we believe that this would not have been possible without the hard work and cooperation of all of the employees of the City of Wilmington. By working together, they have created a safer workplace and they have created a safer community for all your citizens and you are to be congratulated for their effort. I do have an award I would like to present.

Mayor Raizk: I would like to say that my congratulations to number 1, thank you very much. We think a lot of MVRMA as you noted to everybody we were a charter member. We are very excited about our participation in it. I really want to thank Laura for her participation as an active board member. She does not miss meetings, she is active in the risk management committee and has been instrumental in communicating to

all the departments and to our supervisors the wishes of MVRMA. I know they get upset every once in a while because they come up with a project and we kind of run it by, well wait a minutes, lets call over and see if we can do that or do this or best practices and procedures and sometimes they get a little tired of that but they do all buy in and especially to Danny Mongold because we really have no documented safety program, workplace safety program in place until Danny came on and in addition at the same time he was trying to deal with the handbook and so forth. He was putting in a really great program for workplace safety. He has gotten all the supervisors and all their employees to buy in and I just wish to thank everybody. Because basically the bottom line, this saves the City of Wilmington money and ends of savings the citizens money. We just have a safer community and workplace.

Mike Hammond: Well said. Mayor, this is the Ascension Award, the Most Improved Overall Percentage on the Safety Performance Evaluation Checklist Compliance for the calendar year 2008. Congratulations.

Mayor Raizk: Thank you, Mike. I appreciate that.

President Ertel: Mike, thank you so much. We certainly welcome you to stick around for our meeting. However, if you would like to start your trip back to Dayton that would be okay.

Mike Hammond: Actually, I spent 25 years working with city council in my own community so I might just head out here after while.

President Ertel: You've seen this ritual before.

Mike Hammond: Many times.

President Ertel: Thank you so much. Congratulations to the Mayor and the City, wonderful.

President Ertel: At this time I would like to recognize Debbie Stamper, she is the Clinton County Convention and Visitors Bureau director. She has some words for us.

Debbie Stamper: Good evening, thanks a lot for having me here tonight. As you all know, every two years we subscribe to an economic impact study that is put on by the state for our county and we just recently got the figures for 2007 so just want to briefly go over those and instead of just standing here and rattling off numbers cause I have given you something we will go through it together. I think it will make it a little easier and make more sense and then to follow up with these figures. What are we going to do now? We are facing some challenges like everyone else. If you could turn to the first page, this kind of shows overall our growth and it shows 2005-2006-2007 what those figures were. Bottom line is from '06 to '07 we had a 12% growth in tourism sales or what visitors spent in our county. When you compare that, if you see below there, it gives you the percentage of growth for southwest region, which we are part of, and all the percentage of growth for the whole state. We more than doubled in the growth for tourism here as they did in our region in our state. On to the next page, we do know that 750,000 people came to Wilmington and Clinton County last year and that could be for multiple reasons, whether its leisure or meetings or whatever the case maybe. You know that it real important to us that we can show return of our investment for the money that is passed through to the visitors bureau from the lodging tax. You will see below there it talks about for every dollar invested by the visitors bureau, so I'll just run down those. For every dollar invested in '07, 3 people visited the county, \$324 was returned as Visitor Spending Revenue. State tax revenue generated per dollar was \$12.81 and \$9.56 was returned as local tax revenue. For my viewpoint, that is a pretty good return on investment. Next page, this is just a chart that is going to show you where was that money spent when people came here, where were they spending their money. Not real surprising, I guess, the number one area where they spent their money was in retail trade, that could be in shops, that could be at a craft vendor, at a festival, that type of thing, followed by food and beverage and lodging. Nothing real profound there, but just worth mentioning. The next page shows employment, who was employed in our county working that would have generated tourism dollars. A little different you see the strongest area was food and beverage which again isn't really surprising because that is a

very heavy manpower, labor intensive type of service, followed by retail, recreation and entertainment and lodging is on down a bit. Next page, page 6, shows our county in relationship to the other counties, color-coded by the sales that we did. We had \$81 million in sales by tourists in 2007. The wages that were generated by people that worked in hospitality and tourism related businesses was \$21.9 million and the taxes generated was \$10.9 million almost \$11 million dollars. There were 944 people altogether that were employed in the entire county in tourism related jobs. Next page is just an overview, basically, what I've just said but those tourism jobs did represent 3.3% of all the private sector jobs in the county. Some of that is just repetitious, let's go to page eight, this shows the wages that were earned by those employees that were working in the county in tourism related jobs. The most paid out in wages was in the food and beverage industry, then retail trade and then lodging. I would like to mention real quickly, you've got direct – indirect and induced, direct would be like I go to a hotel and I pay for a room, that's direct spending. I own the hotel and I have a breakfast bar, so I have to go and buy food to put on the breakfast bar for my guests, that would be indirect and induced would be that person that works behind the desk and has to go and buy groceries for her family. Does that kind of make sense? You have to take all those things into consideration and it is basically kind of that multiplier effect that we always hear about. On page 9, this is talking about the taxes. \$11 million worth of taxes and fees, that includes federal, state and local and then it breaks it down for you by state and local so \$3.2 million in state taxes and \$2.4 million in local. Page 10 is kind of interesting, it just gives an overview of our accommodations and what happened in the county last year. We were up on hotel rooms, we had 474 rooms and that was up 25% mainly because of the opening of the Hampton Inn, so that gave us quite a few new rooms. Persons per party 2.1 up, we were down just a tiny little bit on the average length of stay 2.46 nights, we're seeing that over the course of the last 4 or 5 years it continues to do down. People are taking shorter trips and fewer nights away from home instead of going away

Mayor Raizk: Debbie, would that also reflect maybe some of the folks that stay that are here on business?

Debbie Stamper: This is going to be an average of that. You are going to have people that are going to be here for 5 nights from Sunday through Thursday for business.

Mayor Raizk: But some of that in the past has been a real strong portion of the business with the current economic thing that could be going down.

Debbie Stamper: We are going to talk about that in just a minute, a little more specifically. Campgrounds we had 758 sites, few more people per party than hotel rooms, which I think you would expect. It is generally families that are staying in the campsites. Average length of stay 2.4 nights down just slightly. Kind of interesting on hotels and the campgrounds though, on hotels almost 50% of them are from out of state, which I found very interesting, that was higher than I anticipated, it really was, and then on the campgrounds out of state 30% which was up 102% from the year before and I have been asking and trying to find out why would we be up so much. Tim Carr with Cowan and Caesar's Creek, his belief is that it is different things like if they have a special program that brings people in, then you will see a significant rise for that year, so we don't know what specifically that is but it was up. That is kind of an overview real quick, an overview of what happened in '07. We are going to talk real briefly, what is going to be happening going forward because it is things we have to plan for, we are in the budget process right now. We have been meeting with all the hotels and that is kind of, what these pages are about. If DHL leaves and some of you may have heard, these statistics but these are concrete numbers. We have five hotels that will be majorly affected. We would lose a minimum of 10,000 room nights per year that is just right off the bat and that doesn't have anything to do with indirect loss which those 10,000 room nights would represent a \$1 million in revenue to those hotels. Inevitably there is no way they can lose that kind of revenue and keep the same number of people working and you know it is going to reduce taxes paid and something would have to be done. The next page talks about indirect impact, pretty logical, you know, we would see loss of revenue by the restaurants, loss of revenue retail and all this is kind of proven by where we just looked, where most of the dollars are being spent. We know that is going to be affected. Even transportation like cab service, gas, that kind of thing, loss of jobs we've talked about. We are going to be budgeting next year, if things continue as they are, we

are anticipating 1/3 of our budget being cut, which is a lot, a whole lot. That is because of course bed tax would be reduced, because the hotels are not being filled. There is one other change that is going to impact us in '09. We don't have, the word is still out on this, but we have been hearing that Roberts Arena is closing. Apparently Wilmington Horsemen's Group is not renewing their lease with the Roberts family, that brings a significant amount of business to us as well and as you will see there we have at least 3,334 room nights in one year for three hotels and were talking about \$276,000 in revenue, from these two events it would be a million \$2.76. So what are we going to do? That's the big question. You know I am not a believer in sitting back and letting things happen. We are trying to look at all our options in ways that we can work to fill those room nights. One of the things that we are working with, and Mike is involved with this, is possibly looking at bringing in sporting events, larger partnerships, countywide sporting events. We have had one meeting, we invited all the athletic directors, all the hotels, all the sporting venues, that type of thing. There seems to be a real interest in it. The only thing when you go after these big teams and stuff, it would probably be non-pro, but still they want you to put up some money and stuff to get them here, or give them incentives. We've got to investigate all that, look at what is it going to take to bring them here and is it something that we really want to do. We've got another meeting in November, we have a specialist in sports marketing coming in to speak to us. You will be hearing more about that, that is one of the things we are doing. Roberts Centre also has begun, they are going to have two events this year and then going forward many more we hope. Creating their own events for the public so that we can bring people in that way, rather than them setting back or trying to sell to someone else, a promoter to bring in a show, they are going to start producing their own shows. I think that is a great opportunity, a lot more work on their part, but a great opportunity. Also, we feel like we are missing the boat in getting, everybody in our community and our county belongs to an associations, and are in groups, and we don't see that a lot of those meetings and conferences and things are coming to our own convention center. So we want to look at marketing to our own local community and possibly even adding, putting in some kind of incentive that would, you know that would (unable to understand word) the business, so that person gets some type of incentive. I will be working with the Roberts Centre on that and hope that will work well too. That's kind of what's initially on our horizon, we will be (unable to understand word) as we go and trying to find other opportunities as we go, I think we are all going to be in constant change, but we are prepared for that. I'll probably come back in two months and talk to you about budgets. Does anybody have any questions?

Councilmember Peterson: I just have a comment about the last bullet that she said, Debbie has on this. I just suggest to council, that means you too, we all belong to organizations, many of us have full-time jobs that are with companies that have events, and have meetings somewhere. Why not here, so I would challenge everyone on council to (unable to understand word) their own association, they own business contacts and try to get them. All you have to do is put them in contact with Debbie; she'll do everything.

Debbie Stamper: Granted it is a lot more fun to go out of town, but we would really like for you to bring them here. We work with them, we kind of hold their hand and walk them through it. We will give them that personalized service so it won't be embarrassing. We will take good care of them. Anything else? Thank you very much.

President Ertel: Okay, that completes my portion of the agenda, Mr. Mayor.

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

President Ertel: Looking at committee reports, Asset, Acquisition and Use. Is there a representative from that area?

Asset, Acquisition and Use: Councilmember McKay - I would say there is no report.

President Ertel: I think you are probably correct, thank you.

President Ertel: No Auditor.

Auditor: No report.

Finance Committee: Councilmember McKay: I will be the Finance Committee tonight in Sandy's absence and if you look through these two ordinances it looks rather daunting, but Mary Kay did provide us with a sheet, each one of you has it at your place, and it details both the supplementals and the transfer that we will be talking about. The first item is the supplementals and would entertain any questions that anyone has.

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

Motion passed.

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; McKay, yes.

Motion passed.

President of Council declared Ordinance No. 4804 passed as read.

Councilmember McKay: The second ordinance is miscellaneous transfers, any questions?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; McKay, yes.

Director of Law read 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; Peterson, yes; Wallace, yes; Popp, yes; McKay, yes.

Motion passed.

President of Council declared Ordinance No. 4805 passed as read.

President Ertel: Very good, thank you.

Water Committee: Committee Chair Mike Wallace – No report.

Street Committee: Committee Chair Peterson: We have one item. We had a Streets Committee meeting earlier this week and (unable to distinguish a few words) and Larry I apologize I didn't get back out to my car for my files. Will you just review the streets?

Director of Public Service – Larry Reinsmith: We are only doing two streets. We find that Nelson Road is falling apart and we really need to re-build that whole street, curb cutter, storm system. This project is probably going to be around \$300,000 and we don't have the money this year to do it. However, we do have some of the permissive tax and we are planning on doing the full depth pavement repair, crack sealing and we have milling and patching in preparation to pave the street next year. So we are going to be doing repairs all along Nelson Road from corp line into Truesdell and then we do have a strip that we need to make a repair out near Wal-Mart on State Route 3 & 22, out by the light, it is in the straight through lane. It is about \$11,000 expenditure, total project should be around \$56,000. We do get a check for about \$66,000 Permissive Tax from the county that's what we paid for that project this year. We have some big commitments for next year with our ODOT paving project and then we want to also piggyback that with the Nelson Road project next year. So we are going to save some of our Permissive Tax money for next year.

Committee Chair Peterson: Any questions?

A motion was made by Peterson and seconded by Jaehnig to give the first reading only on the ordinance Authorizing and Directing the Director of Public Service to Advertise and Contract for the Purchase of Materials and Repair of Certain City Streets and Declaring an Emergency.

Motion passed.

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; McKay, yes.

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; McKay, yes.

Motion passed.

President of Council declared Ordinance No. 4806 passed as read.

Solid Waste/Recycling, Committee Chair Wells: Mr. President I have no report tonight this evening, however, I would like to ask our citizens to please re-cycle and help save our landfill. Thank you.

President Ertel: Excellent, thank you.

Wastewater/Sewer: Chairperson McKay - No report.

Judiciary Committee: Chairperson McKay: We have a couple of things under Judiciary, first item is the third and final reading on the ordinance amending the change or transport of curfew violators. We discussed that at the last meeting and think any questions people had were answered. Are there any further questions?

A motion was made by McKay and seconded by Peterson to give the third reading only on the ordinance Amending Section (C) of Chapter 509.10 of the Codified Ordinances of the City of Wilmington.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by McKay and seconded by Peterson that the ordinance be passed as read.

President of Council declared Ordinance No. 4807 passed as read.

Committee Chair McKay: The second item we have is the second reading on the ordinance amending the ward boundaries and are there any questions at this point?

A motion was made by McKay and seconded by Wallace to give the first reading only on the ordinance Amending Codified Ordinance §§ 103.02, .03, .04, and .05 Establishing Ward Boundaries in the City of Wilmington.

Motion passed.

Director of Law read the ordinance by title only.

Committee Chair McKay requested the third reading on the agenda for the next meeting.

Safety Committee - Chairperson Wells: No report, Mr. President.

Downtown Revitalization Committee : Convener Sandy Mongold – Councilmember McKay – Sandy is not here but I might relay that I attended a couple of events today along with some of our other council members. We attended a ribbon cutting across the street at Rome Jewelers, Janine Sodini and Laurie Jenkins are partners in the old Miller – Hiatt Jewelry store and they are going to have a whole new store there. We are just moving right on down the street. Also, attended a ribbon cutting at the old David Adair building, the Chic Shanty had a ribbon cutting and we're real happy to have a new tenant in that building.

Councilmember Peterson: And I encourage everyone to stop by. Much to my husband's regret, I have visited both businesses.

Councilmember McKay: And I am reminded that we will be having our final mural event next Friday, its Brats, Beer and Band. Streetwise is going to be playing. But it will be another fun way to spend a Friday evening in our hometown.

President Ertel: Excellent, thanks Mark.

Parks and Recreation Committee: Mike Wallace, Convener: Mr. President, we have one item on the agenda this evening. As you are aware, our Parks Department has been working judiciously hard to get this trail through the Denver Williams Park. To be honest with you until I saw it on the agenda for this meeting I thought it was already named. I've been calling it the Judy Gano Trail for so long I had just forgotten it hadn't been done properly. But you know, I think the naming rights putting Judy Gano's name on this is quite apropos with all the work she has done for the City through the years. Especially, helping with what we now call Castle Park and some of those things. I just think it has a good name and so we are trying to make this formal, this section of our trail as the Judy Gano Trail.

A motion was made by Wallace and seconded by Jaehnig to give the first reading only on the resolution Naming a .53 Mile Section of the City's Trail System Starting at Fife Avenue and Ending at Rombach Avenue the "Judy Gano Trail."

Motion passed.

Director of Law read resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; McKay, yes.

Director of Law read resolution by title only.

A motion was made by Wallace and seconded by Popp to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Popp, yes; McKay, yes.

Motion passed.

President of Council declared Resolution No. 2107 passed as read.

The passing of the resolution received applause from the members of council and the audience.

President Ertel: Judy, congratulations. You are now immortal.

Judy Gano - It is a nice feeling.

Mayor Raizk: I think everybody had this at their place tonight. There is a ribbon cutting, seems like we just moved the first shovel of dirt, and I wish all the projects got done this fast. But there is ribbon cutting Wednesday, October 22, at 12:00 noon and it will be, I think the ribbon cutting will be near the historic marker, the Indian Trails historic marker at the beginning there. We would like to see everybody out there if they can. We won't be long but we certainly would like to see everybody if you could make it. Thanks you and Judy thank you for all your hard work.

Judy Gano: You're welcome.

President of Council: Thanks you very much, at this time Service Director, anything Larry?

Director of Public Service- Larry Reinsmith: One quick item, we were talking about paving not having a lot of money to pave streets and we do have money in state highway Permissive Tax but that street department has been hit hard this year with the loss of the license plate fees and high fuel costs and so to compound everything we did get a bid back for our salt for the winter. Last year we paid \$40 per ton for salt and we went into a cooperative group with the county and the state on the purchase of salt and the first time it came back \$175 per ton so we re-bid it and we did get a bid and it was accepted it is \$101.07 per ton. We have about 400 ton in the shed right now but we are going to be kind of conservative maybe on how the snow is going we may just hit intersections and see how the winter goes, slow down. It is going to be very costly this year for salt, that is a problem throughout the whole state I know the Governor has mentioned having a team of people research why salt is so expensive and why certain areas are paying a lot more than other areas.

Mayor Raizk: You have probably seen some of this on the news. It has been a statewide problem. What we have decided to do is since we did get a shipment late last year if you remember, you know we got some after we didn't need it but we held on to that.

We've got about 400 tons and I think at this point with the costs we are only going to buy another 400 tons and that should probably, it is going to mean we are not going to be

salting as much as we have in the past. But if we get the intersections and let the others go and just plow and use the snow crunch we are going to have to do the best we can. But a lot of communities have already set up front that they are not salting at all or just on

Councilmember Jaehnig: Hillsboro has already made that statement.

Mayor Raizk: Cincinnati said they would not salt any residential streets already they're only going to do the main things that they have to do, intersections and that kind of stuff.

Councilmember Wallace: On an average, do we know how much tonnage we typically used in the last 10 years?

Director of Public Service-Larry Reinsmith: I think we used like last year we used like 1200 tons. We had a blizzard.

Mayor Raizk: Now the year before we didn't use that much.

Director of Public Service – Larry Reinsmith: No, usually it is around 800 tons.

Mayor Raizk: That might get us through! That might get us through if we don't have a really bad event like we did last year.

Councilmember McKay: Do we use beet juice?

Director of Public Service- Larry Reinsmith: No.

Councilmember McKay: I am correct that's one of the items...

Councilmember Jaehnig- That is an option that is being considered in other communities used. I believe test marketed in Cincinnati last year and Columbus. That is something that I know that is something they have been looking into but it is something that can be produced locally. But it is a spray and it is much more environmentally friendly. But the cost initially was substantial in comparison.

Director of Public Service – Larry Reinsmith: Was that a rumor Mark?

Councilmember McKay: No, I just didn't know.

Mayor Raizk: We do spray, but it is a salt product.

Councilmember McKay: I knew that, that's the pre thing.

Mayor Raizk: The pre-treatment.

Director of Public Safety – Nick Babb: No report, Mr. President.

A motion was made by Jaehnig and seconded by Wells to accept the Auditor-Treasurer's for September 2008.

Motion passed.

Report accepted as presented.

President Ertel – At this point we would like to open the meeting up to any members of the general public or member of council to address council while in session. Since I am here first I get to say one thing, let's let the young lady go first, Terri Thobaben would like to present to us. State your name and address for the record please.

Terri Thobaben, 1835 S R 380, it is a Wilmington address. I am only going to take a few minutes although I can tend to talk a little bit too long I suppose. But I just wanted to make sure that everybody knew that I am running for County Commissioner and I am opposing Mike Curry. But some of the ideas that I wanted you to be aware that I am concerned about, I gave most of you a card and I will give you some as well. First I wanted to thank and commend the Task Force for all the work that they are doing working together and this is something that I had hoped that we would be able to do in

the county between the county and the city and the villages and all the governmental entities that they would be able to work together and bring in businesses and try to do what is best for all of us. I commend the Task Force for working on that now. I think that what we need to do is to make sure that we have a diverse set of businesses. Not just one, we need a lot of different kinds and one of my specialties or my focus right now is that of alternative energy and I think that we are in a nexus of things coming together, the electric companies are required to produce electricity by 2025- 25% must be from alternative energies and 12.5% must be from renewable energies and I think we have a perfect place, and as I suspect we will probably get to keep the airpark so I think that would be a wonderful sight that we could set up all of the different kinds or several of the different kinds of production, manufacture and generation of various kinds of energy using solar, as well as wind energy. That section of the county is amenable to production of wind energy, it is a high enough wind- a sustained wind-that would allow us to generate electricity by wind. We must also produce .5% of all electricity by solar, so DP&L is looking for a place to buy that electricity from. We have people that will be needing jobs and we also need to wean ourselves off of using so much oil. So I think that we've got kind of the perfect storm. I hate to use all those clichés but it does work. The other thing that I am very interested in is open government and by open government it's not just being transparent but it's also where we all work together and I think that that is an important thing, I think that I would like to see our meetings be video taped and made accessible on the web. There is no reason we can't, we have a website and patching a link to a video of what's going on is just a technological matter and I spoke with Chris Schock and he said it can be done. So I think that would be good and we could also archive all of those meetings so if somebody wanted to go back and find out about it they could. I am also a board member of Clinton County Open Lands and on the board of Rails to Trails. I am very interested in preserving open space and in preserving farmland and maintaining the quality and character of our county. If you have any questions, I would be glad to answer those. I know that one of the questions everybody asked me about, as I have been going around, I probably have knocked on over a thousand doors in past few weeks. One of the questions everybody asked me about is the casino and I am not in favor of the casino because of the way that it is being proposed to our county and to the state. I feel that they are going in the back door. If we needed casino gambling here then our legislators should have set up the rules, set up the guidelines and then put it out for bid. Not have the one company get the monopoly and dictate how things were going to run. However, if it is the will of the state and the people of the state that it is going to be sited here in Clinton County, we need to insure that all of our sensibilities are followed and I think that if there is a big windfall of money that comes in, it should be shared between not just the county but all the cities, the villages and the townships.

President Ertel: Well thank you so much for coming.

Terri Thobaben: Well, thank you, I was going to give a hit of my biography but I figure you all know that anyway.

President Ertel: Thank you so much.

President Ertel: Also, I would like to announce that our next meeting, which is the November 6th Thursday meeting right after our meeting starting at 7:00 pm there is going to be a book signing by a person I know quite well, dear to my heart, that's my wife. She has written a children's book, it is called Belle the Hound That Was Found, its going to be at Books & More, I'm going to pass the invite on down so everyone can take a look at it and certainly everybody in the audience is also invited down to the signing. If you have already purchased the book, thank you so much. I truly appreciate it and be sure to bring it with you and she can autograph it there for you personally. That is happening after council next meeting.

Councilmember McKay: Fred, I had the pleasure of, your wife was at our store today taking a look at the book and pretty neat and it is a children's book but it is written on many levels. I think everyone would enjoy reading it from a 2 year old to a 90 year old.

Councilmember Peterson: It is at 7:00 pm, right?

President Ertel: That is correct. Thank you so much Mark for those kind words, appreciate it.

President Ertel: Any persons wishing to address council?

Richard Unger, 1036 N. Lincoln Street, Wilmington- What I have tonight is the corrections of the minutes of the September 18th, city council meeting, and my portion, there were some words omitted and one whole paragraph omitted. So I'll read what the minutes said and put the corrections in. Dick Unger, 1036 N. Lincoln St., I don't have anybody to yell at or anything tonight because of a previous conversation. I just want to bring something up that was brought to you three years ago, years is the key word here, this month. I stood before you to advise you of a dangerous travel route for walkers and people who ride bicycles. I used to ride my bike on this road to, going to shop at Lowe's, Ace Hardware, Generations, city park and other businesses in the Rombach shopping area. Twice I was almost hit by a car so I no longer ride my bike to shop at these businesses or go to the park. Mr. Unger concluded by asking council to address this problem as he has asked them and the minutes says three months ago and that should be three years ago. Now, and that I have read that you noticed there was no description of where I am talking about that was the omission. What I said the route I am referring to is Prairie Avenue from TimberTech north to Lowe's Drive a path or sidewalk needs to be constructed on the east side to provide a safe route for walkers and bikers, it's broke it needs fixed. Since this article came out in the News Journal and by the way, the News Journal reads, City resident Richard Unger of 1036 N. Lincoln St., addressed council members regarding a safety concern which he first mentioned three years ago and is still waiting for some action to be taken by the city. Unger says an area along Prairie Avenue to Lowe's Drive present a hazard to residents who walk or attempt to ride a bicycle in that area. The lack of a sidewalk hampers anymore who attempts to travel this area. I received after this come out in the Journal I had received some calls from some folks that drive and they have encountered walkers or bikers and they said yeah that's bad and in other words I got an "attaboy" for it so I think we ought to move that up to the agenda and get something done.

President Ertel: Also, if I remember right you read it from a written note?

Richard Unger: That's correct.

President Ertel: If you would provide that to our office please, we will include that, Pauline just mentioned that there was, the tape ran out on that.

Pauline Buckley: Laura was here that night, it didn't beep and so it didn't get turned.

President Ertel: Good provide that to us we will put that in a form of a motion and amend those minutes.

Richard Unger - Do you want to stand by and I'll give you a Xerox after the meeting?

President Ertel: That would be excellent.

President Ertel: Okay, any other persons wishing to address council while in session, seeing none do I have a motion.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in regular session on Thursday, November 6, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, November 6, meeting of Wilmington City Council to order, please.

The Pledge of Allegiance was given.

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

Assistant Chief Weyand was also present.

A motion was made by McKay and seconded by Jaehnig to excuse the absent member. Motion passed.
Councilmember Peterson excused.

A motion was made by Wells and seconded by Jaehnig to approve the minutes of the council meeting of October 16, as received. Motion passed.
Minutes approved as received.

President Ertel: President Ertel opened a public hearing on zoning ordinances regulating junk yards, junk motor vehicles, towing operations, and towing yards. Is there any discussion at this point? Seeing no discussion at this point, I would like to close the public hearing. I would like to ask for a first reading of the ordinance please.

A motion was made by McKay and seconded by Jaehnig to give the first reading only on the ordinance Amending Parts of Chapters 1131.31, 1157.013, 1157.023, 1163.04 and 1165.02 of the Codified Ordinances Relating to Junk Yards, Junk Motor Vehicles, Towing Yards and Towing Operations. Motion passed.
In the absence of Director of Law Kathryn Hapner, Jason Besser read the ordinance by title only.

President Ertel: Very good, we will have then the second and third reading possibly in the next meeting if that is good. I don't see. Is there a time limit on this Laura, or can we just have the second reading?

Clerk of Council- Laura Curliss: I don't think so, I'll double check.

President Ertel: Second reading for sure.

President Ertel: Okay, that completes my portion of the agenda, Mr. Mayor.

Mayor Raizk: Thank you, Mr. President, just a couple of items and I think most everybody knows, but the ceremony honoring and opening the new Veterans Memorial will be at 11:00 am 11-11. Just as the Armistice was and Veterans Day so it will be, that is Tuesday at 11:00 am and we are looking forward to that. Those of you that have been following that it is beautiful and getting more beautiful as the day goes on. I think it is outstanding for our community and hope to see as many folks there as can be. I know it is a tough time but we will try to do that. You have a couple of items in your packet, I think most of them are self-explanatory. One is from FEMA. FEMA is redoing flood maps all over and I think that you have all talked about this in various committees. They are having a community official meeting Monday, November 17 from 1:00 pm to 3:00 pm in the County Annex Building on Nelson. As part of that, they have to have the public community official meeting for the GIS staff. I just wanted to bring that to your attention. That is all I have for tonight.

President Ertel: Thank you, Mr. Mayor, moving into committee reports, Asset, Acquisition and Use.

Asset, Acquisition and Use - Chairperson Mongold: No report, Mr. President.

President Ertel: Thank you, Mr. Auditor.

Auditor- David Hollingsworth: I have nothing, Mr. President.

Finance Committee- Chairperson Mongold: We have several items, the first being an ordinance making supplemental appropriations. You received a list, are there any questions?

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

Motion passed.

Jason Besser read ordinance by title only.

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

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

Jason Besser read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4808 passed as read.

Chairperson Mongold: We also have an ordinance making miscellaneous transfers, are there any questions?

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

Jason Besser read ordinance by title only.

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

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

Jason Besser read ordinance by title only.

A motion was made by Mongold and seconded by Popp to pass the ordinance as read.

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

Motion passed.

President of Council declared Ordinance No. 4809 passed as read.

President Ertel: Is there anything else?

Finance Committee –Chairperson Mongold: No, that is all I have this evening.

President Ertel: I see all the budget meetings are coming up.

Councilmember Mongold: Yes, we need to confirm the work sessions for 5:30 pm.

Clerk of Council- Laura Curliss: If you say yes, then we are yes. You are the last one I needed to talk to.

Councilmember Mongold: I'm actually not, but I told her any time I could so they were going to go ahead and start it.

Clerk of Council- Laura Curliss: Okay. If it is okay with everybody, I believe it is, it will be Tuesday, November 25 at 5:30 pm in the Community Room.

Councilmember Mongold: I won't be there until 6:00 pm but they can go ahead and get started. That's all, thank you.

President Ertel: Very good, thank you. Water Committee.

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

President Ertel: Streets Committee.

Street Committee- Committee member Mike Wallace: No report, Mr. President.

President Ertel: Solid Waste/Recycling.

Solid Waste/Recycling - Chairperson Wells: No report, Mr. President.

President Ertel: Okay, thank you.

Wastewater/Sewer- Chairperson McKay: No report.

President Ertel: Judiciary Committee.

Judiciary Committee- Chairperson McKay: We have one item on the agenda, but we are still looking at some wording and should have something ready for presentation for the third reading at the next meeting. I would ask that we postpone the reading tonight.

President Ertel: Safety Committee.

Safety Committee - Chairperson Wells: Mr. President, I have three readings on a resolution accepting a gift from the Fort Dodge Animal Health. They have donated \$507.30 to the City of Wilmington for the Wilmington Police Department Canine Unit. Are there any questions?

A motion was made by Wells and seconded by Jaehnig to give the first reading only on the resolution Accepting a Gift.

Motion passed.

Jason Besser read resolution by title only.

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

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

Jason Besser read resolution by title only.

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

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

Motion passed.

President of Council declared Resolution No. 2108 passed as read.

Chairperson Wells - I would just like to say thank you to Fort Dodge for this generous donation for our Canine Unit.

President Ertel: Thank you so much. Downtown Revitalization Committee.

Downtown Revitalization Committee - Convener Sandy Mongold: No report tonight.

President Ertel: Thanks you, Parks and Recreation.

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

President Ertel: Service Director.

Mayor Raizk: The Service Director is recovering from surgery.

President Ertel: Safety Director.

Safety Director- Nick Babb: No report, Mr. President.

President Ertel: You have before you the Income Tax report for October 2008, what is your pleasure please?

A motion was made by Wells and seconded by McKay to accept the Income Tax Receipt Report for October 2008.

Motion passed.

Report accepted as presented.

President Ertel: At this point, we would like to open the meeting up to any members of the public or member of council to address council while in session. If you would please approach the podium, state your name and address for the record.

Councilmember McKay: Mr. President, while we are waiting to see if anyone else wants to speak. As a public service announcement talking about the Veterans Memorial and Veterans weekend, we are going to be having our annual Veterans Day show at the Murphy Theatre at 2:00 pm on Sunday. We certainly would like everybody to come. It is going to be a nice show. We certainly appreciate your support.

President Ertel: Also, I would like to echo the words of the Mayor in regards to the Memorial which is built down on the corner. I was down there earlier this evening and it is something very, very special. You feel something when you walk into the circle, you truly do. The lighting is perfect, everything is perfect and there were probably twenty people there, which just really amazed me. It is really something special. I think it is best seen at night. It is just perfect.

President Ertel: Yes, Rob.

Councilmember Jaehnig: We are in November so now I am allowed to legally push Holidazzle without my wife divorcing me. Holidazzle is just coming up on 29 November and we are gearing up very heavily. We expect to have between 70 and 90 entries in the parade. It is going to be bigger and better than ever. There are still some openings for the parade. If you have a group, an organization, a business, your neighborhood, your church, anybody that is interested please give us a call and contact us cause we would love to add you to the list of events. But we are going to be a little strapped on the bands this years with some school issues have cut some of our bands out on the funding. You all know about the gas prices and so forth but we are still looking very strong with all the local bands. We are very excited about that. We have some great entertainment going on in downtown and we will be starting a lot earlier this year to get off at 2:00 pm with the parade finalizing the night to cap things off. There will be a big addition this year is the schools are going to be competing. We have confirmation from East Clinton, Blanchester and Wilmington. We are waiting for confirmation from Clinton Massie. But we have had a sponsor come forward to do a mini Holidazzle float contest inside the schools. So they are going to do a little red wagon size floats inside the schools, light them up just like if they were in the parade and the schools will pick there top ten from each school, put them in the parade and Collett Propane has been nice enough to say will judge the ones that end up in the parade so the top ten from each school. The judges will go through and they will chose one as the overall winner and Collett Propane is going to then rebuild that float life size for next years parade. That is a major financial commitment on their part, probably well over \$5,000 in costs to recreate the float for the following year. There is a business really stepping up to improve, but we have a lot of new entries. We are very excited and next week the nomination forms go out for our parade marshals. Again, those are the kids that are community involved, community related, whether it be their school community, local community, their church community and now would be the time to nominate your child to be a parade marshal for this year. The last thing just because I love a big show, the Sedexho at Wilmington College is shooting to get into the world record book, Guinness World Records by helping to collect, nationwide, 400,000 pounds of canned goods. The 11th of September they will be collecting canned goods- December, I'm sorry November. They will be collecting canned goods in hopes of getting into the world record for the most.

President Ertel: Where can we drop them off at?

Councilmember Jaehnig: At the college at the Pyle Center and Kroger will be collecting and they are hoping that since Sedexho also does Wilmington City Schools food that they will be able to collect at the schools too but that has not been confirmed. It is on the website for the newspaper.

Councilmember McKay: I know in theme with the Holidazzle parade, I have it on good authority that the Holiday Hunks are going to enter another float this year. You'll all be looking forward to that. New theme, new, different, and very exciting.

Mayor Raizk: The parade is the 29th and we have another council meeting prior to that, I am hopeful that, Mr. President what committee can I propose legislation, an ordinance to prevent that from happening:

President Ertel: I certainly think we can.

Mayor Raizk: I definitely think we can declare that an emergency.

President Ertel: It could be Judicial or it could be Safety.

Mayor Raizk: I think Safety might be the one.

(Bantering.)

Councilmember Wells: Since Gary is here, I received a call from a lady, as her councilperson, that she had a complaint, she was very distressed about the News Journal changing their delivery policy. She wanted me to do something about it. I am going to tell you there are people in the Third Ward that are not happy about that.

President Ertel: Any other comments or discussions?

Unidentified audience member: I got a question, what is going to be done about all the junk vehicles and trash in the yards around town?

President Ertel: Good point, discussion.

Mayor Raizk: Something specific.

Unidentified audience member: A certain place beside us has a lot of junk vehicles and trash in the yard. We've called and complained several times and we was wondering what's going to be done?

Mayor Raizk: One of the ordinances that we are passing tonight, that is in the process, that is addressing some of that. That is why I was asking.

Unidentified audience member: How long is that going to take?

Mayor Raizk: Well it will probably be, because we gave it a first reading tonight, it can't be passed as an emergency so from the time it actually takes effect, we'll probably have at our next meeting the second and third reading and then it takes effect 30 days after that. That is just by law, nothing we can do about that.

Unidentified audience member: I have one question, Ernie Blankenship told us that they would have 72 hours to clean up their mess, then what do they get a fine?

Mayor Raizk: There is a process that we have to do and go through. We have had some and some times, we can remove it. But we have to go through court to get a court order to do it now. We tried to do it one way and frankly, we were almost thrown in jail on the deal. But we are proceeding with those and doing what we can. As soon as we get, once they get cited and so forth we are trying to press those.

Unidentified audience member: Okay, then you are not sure what happens in 72 hours.

Mayor Raizk: In 72 hours, it has to be removed and we can remove it.

Unidentified audience member: So if they don't, you will?

Mayor Raizk: Yes, but again there is a process for us to that, if they are not doing it we have to go and get, and we're working out trying how do we get on the property, because essentially it's coming on to your property, or their property.

Councilmember Jaehnig: When it is on the street, it is another issue.

Mayor Raizk: When it is on the street, it is another issue, because it is in the right-of-way and so forth.

Councilmember McKay: Seventy-two hours the process starts.

Mayor Raizk: Yes, if it is on the street. The other we do that.

Unidentified audience member: Also, junk vehicle in the neighborhoods parked in the yards, and back yards and no tags or they tag them and they don't run. It is more than one.

Mayor Raizk: Some of the things that are in this ordinance are addressing those, that's why we revised the ordinances. You heard the first reading of that tonight.

President Ertel: Okay, any other questions or comments? Seeing none do I hear a motion.

A motion was made by Jaehnig and seconded by Wells to adjourn.
Motion passed.
Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in regular session on Thursday, November 20, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, November 20, meeting of Wilmington City Council to order, please.

The Pledge of Allegiance was given.

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

Assistant Chief Weyand was also present.

A motion was made by Wells and seconded by Jaehnig to approve the minutes of the council meeting of November 6 as received.

Motion passed.

Minutes approved as received.

President Ertel: The second items is the second and third reading on an ordinance amending parts of Chapters 1131.31, 1157.013, 1157.023, 1163.04 and 1165.02 of the codified ordinances relating to junk yards, junk motor vehicles, towing yards and towing operations. Are there any questions on that?

Councilman McKay: Mr. President, I can speak to this ordinance. We are going to have a very small amendment to that because it did not address someone who is working on their private vehicle in an enclosed structure. That is not in the original ordinance so we are going to add those two words to the second paragraph of 1131.31 and it will go on to say as you already see it on your ordinance at your place for motor vehicle dealership, residential property. So that is the amendment.

President Ertel: Okay, very good, can I have that in a form of a motion?

A motion was made by McKay and seconded by Popp to amend the ordinance accordingly.

Motion passed.

Councilmember Peterson: I do have one question. Do we have to have both readings tonight or can we just have the second reading? Is there a time limit?

Councilmember McKay: There is no hard and fast need for the third reading.

Mayor Raizk: Okay, well the only thing is if you want this to take affect by the end of the year so that it would be in effect next year because this is not an emergency so you would need the 30 days.

Councilperson Peterson: When does our moratorium begin?

Our moratorium was indefinite.

Councilman McKay: Do you have a problem with giving it a second and third?

Councilmember Peterson: I would prefer to just give it a second, but if the moratorium is indefinite . . .

A motion was made by McKay ~~and seconded by Peterson~~ to give the second reading only on An Ordinance Amending Parts of Chapters 1131.31, 1157.013, 1157.023, 1163.04, 1165.02 of the Codified Ordinance Relating to Junk Yards, Junk Motor Vehicles, Towing Yards and Towing Operations, As Amended.

Motion passed.

Director of Law read ordinance by title only.

President Ertel requested that the third reading be on the agenda for the next meeting.

Okay at this point I would like to have Asst. Chief Weyand. Please come forward for a presentation; I love these kinds of things.

Asst. Chief Weyand: Chief Detective Josh Riley will give you a brief overview of what lead up to this situation.

Chief Detective Josh Riley: This stems from September 2, 2007, involving a suspect that was wanted for a sex crime involving a minor. He was under indictment. Officer Sean Earley attempted to effect arrest of this suspect at which time the male removed a straight razor knife from his pocket and he did two slices on his throat. Officer Earley was able to take control of him, got the knife away and immediately began to provide emergency aid to him. There was heavy blood loss at the scene. Based on Officer Earley's actions and his attempt to stop the flow of blood from the injuries from this man's neck, the suspect ultimately survived. It was based off this arrest that the information was forwarded on to the assistant chief. It has been just over a year. We wanted this case to make its way through the courts. It is over now and the information was forwarded on and I will give it back to the assistant chief as to what happened next.

Assistant Chief Weyand: Pretty much after that, we submitted the stuff to the American Police Hall of Fame and they looked at this case based upon the merits and awarded Sean the award for saving a life. Just goes to show that every life here is valuable, good or bad, no matter what you have done, you know we value everyone equally. So Sean if you would come on up. Congratulations, Sean. (Applause.)

It is nice to see an officer do great things (a few words could not be understood for transcription). We appreciate the opportunity to present this here tonight.

President Ertel: Well, certainly. Thank you. We look forward to seeing you next week with another one. (Laughter) It is wonderful also too see all the police in the audience and thank you all for your service. Thank you so much for your service.

Asst. Chief Weyand: No problem.

President Ertel: Okay, for those who would like to go ahead and shoot on out go right ahead. The rest of the meeting I think a lot of you have seen before.

President Ertel: I would also like to announce about a retirement reception of Joanne Chamberlin in honor of her 47 years of public service as Court Recorder and Clerk of Courts. Are you that old?

Laura: She has been working my entire life. That is as long as I can remember.

President Ertel: It will be held on Thursday December 18 from 12-4 p.m. with a program at 2 p.m. in Clinton County Common Pleas Court Room, 3rd floor of the Clinton County Courthouse here in Wilmington. It is going to be hosted by Clerk-elect Cindy Bailey and certainly, our Laura Curliss so you are all invited to that. At this point, that finishes my portion of my agenda. Mr. Mayor?

Mayor David Raizk: Thank you Mr. President. In the realm of good news, I certainly want to say congratulations to Sean and it is important to recognize achievements and what these folks do on a daily basis and get a good pat on the back for them and certainly, these kinds of awards do that. Today in fact this afternoon Senator Sherrod Brown announced that we have been the recipients we finally got, I told you on numerous occasions we were in the process of our National Emergency Grant application. They have awarded at least the beginning of the grant with \$3.87 million dollars for worker retraining and worker assistance. This is very important because those folks can start going to get some training and get these dollars. This will not be the end of it. This grant will be amended several times as more lay offs occur in the future, but getting this over the hump has been and I need to publicly thank Senator Brown, Senator Voinovich, Congressman Turner and all the Ohio Delegation. They really lead the fight to make sure that this happened. We were unique in our situation here in that normally these things come very, very, very much after the fact. But we started this process before any of the layoffs ever began so that we would make sure that things would be in place for misplaced workers and they have straightened out all the logjams

that occurred. At that level things can happen and they have worked very diligently especially over the last few weeks. I want to thank them and this is a great help for our community and the times we are facing.

I also want to congratulate the folks with the Veterans Memorial. This is an outstanding addition to our Community. If you had an opportunity to go on Veterans Day, it was quite a moving experience. We were lucky the Governor came down. The Governor had another place to be. He needed to be in Chillicothe at 1 o'clock and as soon as he spoke, his aids came over to him and said Governor we have to go and he said I am not leaving. He was so moved by the memorial and the folks there he was one of the last people to leave. We finally had to kind of shoo him out of there. He was visibly moved by the memorial and talked to individual folks and talked about their individual stories and it was quite a moving experience. I thank our community and Randy if you would please carry that back to the Veterans Commission and all the folks on the memorial committee and I know they are too numerous to name but so many good people did so many good things there. You know it is something you would see in Washington D.C.; it is just such a first class deal. If you have not been or haven't been at night, go at night. As Coach Waddell relayed the story at the memorial about the little boy that went with his grandfather to the memorial and asked, "Is this a whispering place, Grandpa?" It is indeed a whispering place so I did want to note that and I appreciate everyone's help with that and that is all I have.

Asset, Acquisition and Use: Committee Chair Mongold: No report.

President Ertel: Okay. Thank you so much. No auditor, no report.

Finance Committee: Committee Chair Mongold: No report.

Water Committee: Committee Chair Wallace: No report.

Street Committee: Committee Chair Peterson: No report.

Solid Waste Recycling

Committee Chair Wells: Mr. President, there is one item on the agenda tonight however; I ask that it be postponed until we are fully prepared to present it.

President Ertel: Okay, can we look at that for our next meeting for that?

Committee Chair Wells: Yes.

Waste Water/ Sewer

Committee Chair McKay: Yes, Mr. President, we have two items. The first item is the resolution authorizing the Director of Public Service to enter into various contracts having to do with the smoke and dye testing and things they discovered. If there are questions about that there are like five different contracts that have to be let on that. Larry can certainly answer any questions you might have. It was discussed fully in our committee meeting.

A motion was made by McKay and seconded by Popp to give the first reading only on the Resolution Authorizing the Director of Public Service to Enter into Contracts for Services to the Wastewater Treatment System After Competitive Bid and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

Committee Chair McKay mentioned that time was of the essence.

A motion was made by McKay 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; Peterson, yes Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2109 passed as read.

Committee Chair McKay: Our second item is authorizing the lease of the garage space on Main Street that the Wastewater Sewer Department has been leasing for the last year. It is just a one-year extension. Any questions?

Councilwoman Peterson asked for clarification on recalling that they had to park their equipment outside prior to leasing this facility.

Committee Chair McKay: Yes, very versatile, very nice building with many amenities that we would not have elsewhere. This is for one year.

A motion was made by McKay and seconded by Peterson to give the first reading only on A Resolution Authorizing a Lease of Garage and Office Space Between the City of Wilmington Ohio and West End Auto for 2009.

Motion passed.

Director of Law read resolution by title only.

Committee Chair McKay: We don't have to pass this as an emergency, but we do need to do this before the end of the year.

A motion was made by McKay 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; Peterson, yes Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2110 passed as read.

Judiciary

Committee Chair McKay: Under Judiciary, we do have the ordinance regarding ward boundaries of the city due to annexation and we would like to have a third reading on that ordinance tonight.

A motion was made by McKay and seconded by Peterson to give the third reading only on An Ordinance Amending Codified Ordinance §§103.02, .03, .04 ad .05 Establishing Ward Boundaries in the City of Wilmington.

Motion passed.

Director of Law read ordinance by title only.

A motion was made by McKay and seconded by Peterson that the ordinance be passed as read.

Motion passed.

President of Council declared Ord. No. 4810 passed as read.

Safety Committee: Committee Chair Don Wells: No Report, Mr. President.

Downtown Revitalization

Convener Sandy Mongold: Just a reminder that next Saturday Night is HoliDazzle. The festivities start at 2 o'clock in the afternoon and the parade starts at 7 p.m. and that Friday and Saturday also is open house for all the downtown businesses. If you are downtown Friday or Saturday of next week, please stop in and see what's downtown.

Also under Finance, I failed to remind you that Tuesday evening at 5:30 is the Finance Work Session.

Parks & Recreation – Convener Mike Wallace – No report, Mr. President.

Service Director – Larry Reinsmith – No report.

President Ertel: Are we going to use any salt tonight?

Larry Reinsmith: No.

Safety Director - Nick Babb – No report.

President Ertel: You have before you the Third Quarter Hotel Lodging Tax Report. What is your pleasure, please?

A motion was made by Wells and seconded by Jaehnig to accept the Third Quarter Hotel Lodging Tax Report.

Motion passed.

Report accepted as presented.

President Ertel: At this time, I would like to open it up to the general public for anyone to address council while in session. If you would, please come to the microphone, state your name and address for the record. I see no takers. Do I have a motion?

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in regular session on Thursday, December 4, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, December 4 meeting of Wilmington City Council to order, please.

The Pledge of Allegiance was given.

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

Assistant Chief Weyand was also present.

A motion was made by Wells and seconded by McKay to excuse the absent members. Motion passed.
Councilpersons Peterson and Mongold excused.

Councilmember McKay- Mr. President, we have an amendment we need to make to the minutes, as they are in front of the council members. I think you have the corrections.

President of Council-Fred Ertel: I have the corrected copy.

Councilmember McKay - And it is on page 4 under Judiciary, we were supposed to have just the third and final reading which is what we did, but the motion and the verbiage does not follow that. So, should we read what you have in front of you?

President of Council-Fred Ertel: Sure, this is Judiciary Committee, starting under that heading, Committee Chair McKay, under Judiciary, we have the ordinance regarding ward boundaries of the city due to annexation and we would like to have a third reading on that ordinance tonight. Motion was made by McKay and seconded by Peterson to give third reading only on An Ordinance Amending Codified Ordinances §§103.02.03, .04 and .05 Establishing Ward Boundaries in the City of Wilmington. Motion passed.

Director of Law read the ordinance by title only.
Motion was made by McKay and seconded by Peterson that the ordinance be passed as read. Motion passed. President of Council declared Ordinance No. 4810 passed as read.

Councilmember McKay: Mr. President I would move that the minutes be amended to read as you just read.

Mr. President-Fred Ertel: Okay, is there a second?

Councilmember Wallace: Second.

Mr. President-Fred Ertel: Is there a second, all in favor signify by saying aye. Opposed nay? Okay, the minutes are amended, now do I have a motion for acceptance?

A motion was made by McKay and seconded by Wallace to approve the minutes of the council meeting of November 20 as amended. Motion passed.
Minutes approved as amended.

President of Council – Fred Ertel: Okay at this point we would like to take a look at a third reading on an Ordinance Amending Parts of the Chapters regarding Junk Yards, Junk Motor Vehicles, Towing Yards and Towing Operations. This is the third reading. Is there any discussion?

A motion was made by McKay and seconded by Popp to give the third reading only on the ordinance Amending Parts of Chapters 1131.31,1157.013,1157.023,1163.04 and 1165.02 of the Codified Ordinances Relating to Junk Yards, Junk Motor Vehicles, Towing Yards and Towing Operations, as amended.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by McKay and seconded by Popp that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4811 passed as read.

President of Council-Fred Ertel: Next, we will take a look at the first reading, since we are absent two persons, first reading on a resolution Appointing a Member of the Income Tax Board of Review.

Councilmember McKay: Mr. President, that item was heard under Judiciary and we have agreed that with recommendations of the Income Tax Board, that David Hockaday should be appointed as that member so, is there any discussion?

A motion was made by McKay and seconded by Popp to give the first reading only on the resolution Appointing A Member of the Income Tax Board of Review and Declaring an Emergency.

Motion passed.

Director of Law read the resolution by title only.

Councilmember Member McKay requested that second and third reading be on the agenda for the next meeting.

President of Council-Fred Ertel: Okay, that completes my portion of the agenda, Mr. Mayor.

Mayor Raizk: Thank you, Mr. President. I would like to recognize someone for an outstanding job, more than an outstanding job. Last year Rob started talking about a Holidazzle Parade and I thought, "Well go for it," but I had my reservations, but it ended up being an outstanding event and this year was just phenomenal, building on it. I would really like to recognize Rob Jaehnig, who has the enthusiasm all the time to put these types of things together. I know he is not the only person, but at the same time, he always believes that we can be the best we can be and be better than what we think we are. Rob, I really want to congratulate you for an outstanding job in kind of pushing this, helping everybody put this together, and I knew you had a lot of folks out here tonight so I'm going to turn it over to you and let you thank them.

Councilmember Jaehnig: Thank you, thank you very much. Holidazzle was an incredible event this year. Trevor, who was our chair of our committee, pulled off some amazing logistics, as always to get everything set up and in place in time as we start to move down the street. I don't see Michael Fabel or Connie here, who were in charge of our entertainment; all of the different venues downtown that went off without a hitch, and helped get off a 5 K run with the help of Get Fit, two runs in three days. We were told that wasn't possible' we had over 200 people running the Holidazzle 5 K so we definitely have some runners in the area. We had Tammy McKay, who worked with all of our newsprint and getting the word out to the public and so forth. Steve Brown our connection with Main Street, who was our backing to get it off the ground. Sherry Murphy was instrumental in the children and children events. Judy Kirchner Davis and Barb Babb in getting all of the vendors in line. Cindy Shivers, the Merry Tuba Christmas, and it goes on and on. But I think we have a lot of people, my wife and her Clinton Leadership group added an art venue to this year, which was a nice addition and did a bunch of surveys. One of the things we decided the very first year is the only way to get better is to know what people want and she started surveying people last year and this year I think you got 250 surveys filled out maybe.

Mrs. Jaehnig: Inaudible.

Councilmember Jaehnig: If you were involved in the Holidazzle Committee, parade or anything, please stand, cause I see a lot of people out there, but please stand.

(Applause)

Steve Brown: Mr. President, may I make a comment also.

President of Council-Fred Ertel: Certainly.

Steve Brown: In return, we would also like to thank the city for your support, for your cooperation, specifically the Service Department, Safety Department; I know it was a challenge. I appreciate you stepping up and meeting that challenge on behalf of, not only the Main Street but of the city. Thank you very much for your support, we greatly, greatly appreciate it. Things like this are so difficult to pull off but with cooperation of everyone. We did have that. If we didn't have that cooperation it may be so difficult, we have heard this from other communities that they just can't do anything. We see this that we would continue this cooperation year after year, continually building upon what we have established. Rob, I agree with the Mayor that you done a fantastic job on the parade end of it. I appreciate you and your cohort Molly for all that you have done to pull the parade off. I wish it could be warmer during that time of the year. At least you did bring that heater (laughter).

Rob Jaehnig: Trevor complained that it went too fast.

Steve Brown: That's true, but thanks to the city; we really appreciate your cooperation in this.

Councilmember Jaehnig: Steve brought up a very good point I was going to get to, Molly Dullea from the General Denver, my co-chair, and I am pretty scattered and she keeps me on the straight and narrow, keeps me organized and definitely would never pull it off with her steadying hand in regards to it. Do we have anybody from the FFA here? I'm afraid we don't. The Wilmington FFA and the Wilmington High School Honor Society or association really came through for us this year. We had 60 FFA kids working the high school to put the parade in order and another 10 honor students that carried I'm sorry 12, carried the banners in the parade, took care of the parade marshals and helped to organize that. It is the school involvement that really has made this event a real possibility. If we didn't have that type of manpower, it would be very difficult. We did a little tabulating the day after Holidazzle and we had 3,023 participants in the parade. We put 3,000 people down the street and that's how you end up with crowds that we had by putting that many people involved and so I thank everybody that was involved and the city for its support. But it is a wonderful gift for the citizens. Thank you.

Mayor Raizk: Thank you Rob. Just an outstanding event and really shows what the kind of community that Wilmington is and has been and can be. I just, to see the crowds on the street was just amazing. Do we have a real good estimate at this point, I know it, had to be at least doubled and possibly more than

Councilmember Jaehnig: We were talking and we felt it came in between 10,000 and 11,000.

Mayor Raizk: I would say that would have to be right.

Councilmember Jaehnig: What really threw us was the 1,000 to maybe even as much as 1,200 people at Clinton Memorial Hospital.

Mayor Raizk: Yes.

Councilmember Jaehnig: That area was just swamped.

Mayor Raizk: It was just such a great job by everybody, thank you all.

Mayor Raizk: I have a couple of other items. A little bit of bad news, I received word late this afternoon that Bill Galvin passed away. Bill was a friend of mine. His family, of course, owned the Wilmington News Journal and many other papers and of course, our Galvin Park, part of our city parks systems is named after his family. Bill always donated every year to the parks system to help along with that effort and always took an active interest in it. The condition that it was in or if he thought of new ideas and he always shared them with Scott and myself. He died suddenly, no one knows, just in his sleep. He was not ill so it is kind of a shock. But Bill, although he lived in Columbus

for lo these past few years he considered himself a Wilmingtonian and always took an active interest in the community. We are going to miss him.

Mayor Raizk: You all got this red flyer so I just make sure you remember the City Christmas party. Another note that, Sunday after the parade I carried that cold through those hours outside, so Sunday I stayed home wrapped in a blanket and there was an article about Wilmington in the Cincinnati Enquirer, a very good article. Later on in the later afternoon towards early evening, I got a phone call from a lady. She introduced herself, I believe as Connie Sims. She was a nurse practitioner in Cincinnati and after reading about it, she said I just can't stand thinking about some of those kids up there not having Christmas presents. She had taken the time to get my home phone number from directory assistance and gave me a call at my home. She said she wanted to get in touch with the Ho Ho Shop and she said we have a group of us that are nurse practitioners, we are also associated with a hospital doctors group and we want to make a donation to the Ho Ho Shop and Laura hooked her up on Monday morning and they did make a donation to the Ho Ho Foundation. But there is a lot of stories like that out there and I'm sure maybe some of you have your own. But it really restores your faith in humanity to think that a lot of people care about us and it is important. It is important that we continue to care about each other. I just wanted to bring you up to date on that.

President of Council-Fred Ertel: Thank you, Mr. Mayor. Let me ask a question before we move into committee reports. Rob and all the people that are involved with Holidazzle, Mr. Huffenberger is here, will it be appropriate for a group picture for the paper.

Councilmember Jaehnig: I don't think so, let me tell you why. The Holidazzle Committee feels that it is not about us. It is about the event, it is about the city and really none of us are really looking to get our pictures in the paper. While it would be a very nice offer, the committee agrees with me, don't they?

President of Council – Fred Ertel: I see a lot of shaking heads out there, very good, thank you.

Mr. President, somebody who was left out, if you will just allow me, is the Wilmington News Journal and their coverage and photographs and I would like to thank them here, too.

Councilmember Jaehnig: We could take a picture of Gary.

President of Council – Fred Ertel: Okay, moving into committee reports.

Asset, Acquisition and Use-Committee Member McKay: No report.

President of Council-Fred Ertel: Okay. Thank you so much. Mr. Auditor.

Auditor-David Hollingsworth: No report Mr. President.

President of Council–Fred Ertel: Finance Committee.

Finance Committee Member McKay: I will be reading those items tonight and of course, we can only do one reading each of these items. The first has to do with, kind of a housekeeping measure to establish a CDBG Fund for funds that we actually already approved so this is just allowing us to do that.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Establishing A New Fund.

Motion passed.

Director of Law read the ordinance by title only.

Committee Member McKay requested that second and third reading be on the agenda for the next meeting.

Committee Member McKay: The next item is ordinance making supplemental appropriations. Are there any questions?

A motion was made by Mr. McKay and seconded by Popp to give the first reading only on the ordinance Making Supplemental Appropriations.

Motion passed.

Director of Law read the ordinance by title only.

Committee Member McKay requested that second and third reading be on the agenda for the next meeting.

Committee Member McKay: The next item is ordinance making miscellaneous transfers.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

Director of Law read the ordinance by title only.

Committee Member McKay requested that second and third reading be on the agenda for the next meeting.

Committee Member McKay: The last item is our ordinance for our city budget this year and are there any comments prior to voting on this.

Mayor Raizk: Councilmember McKay, if I might make a comment. We have been working very hard over the last two months on this budget realizing that we need to be as circumspect and as good stewards as we possibly can. As we approached the budget, we looked at trying to maintain at least what we did last year and no more. We realized that with the current sources of revenue, some of which have been eroding, we realized that that couldn't happen. So we went back and we asked for an additional 10 percent cut and then we have also taken the step and we met with the employees, first with our two bargaining units and we have received and we have agreed in principle with employees who were scheduled to receive a 4 percent pay increase this year that we will not have any pay increase. In return, we should be able to keep everybody who is a full time employee employed and our budget reflects a considerable difference from last year, considerable cut. We think the measures that we have taken in both spending and partnering with our employees and I want to publicly thank them. They understand and they are willing to work with the city that we can come with a budget that will try to insure as much carry over as we possibly can so that not only will '09 be in sound fiscal condition, but also looking forward to 2010 when things might get a little tighter so that we might be able to make sure that we can preserve the operations of the city and not cut services of the citizens, but still perform efficiently. I think that it is important for council to know that we have taken those steps; I think it is important for council recognize that the employees themselves in this manner are contributing to this budget and I think we have got this in a shape where we can all live and work through the difficult times.

Committee Member McKay: Thank you Mr. Mayor, any other comments?

Scott Kirchner from the audience: Will the elected officials be volunteering to work for a \$1.00 a year in respect of the sacrifice made by the unions and public employees to also additionally help the budget, that's just elected officials?

Mayor Raizk: We haven't discussed that since their salaries are fixed and can't change; they don't have any increases as the employees have had. So only when it comes up for election or they can't do it while they are in office. The other situation is that most of the elected officials would not receive their PERS if it was below, if they didn't their contributions so while they do not receive an increase when the other employees get it, the employees are giving up their increase but they are at least maintaining their present level. We did not look at that because, especially because of PERS contributions that they would be effected.

Scott Kirchner: I have concern that we have asked people to risk their lives for our safety in this community and our elected officials aren't willing to also sacrifice as well. Police, fire put their lives on the line everyday for the citizens in this town and each of you has an outside job.

Councilmember Jaehnig: I beg to differ with you on that, Scott, since I am currently unemployed this is the only income that I have.

Mayor Raizk: There isn't any increase that council members or whoever or myself or Geoff, David, or Kathryn could give up because we don't get an increase on a yearly basis. That is what the employees have done is that they are not losing any income they have from today, they are foregoing their four percent projected increase that they were going to get.

Scott Kirchner: It is just a question of whether or not as elected officials you are willing to reciprocate.

Committee Member McKay: Are there any other comments?

President of Council – Fred Ertel: Yes, we do that every year Scott, we haven't had a pay raise for how long?

Scott Kirchner: As I repeat it is a part-time job, I had it for three years myself, Fred.

Law Director Kathryn Hapner: Sixteen years for my office.

President of Council-Fred Ertel: Sixteen years for her office, how many for yours?

Mayor Raizk: Twenty-five, I think.

President of Council-Fred Ertel: Twenty-five, I think that speaks volumes about people who volunteer. Thank you. Okay, Mark.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Making Appropriations for Current Expenses and Other Expenses and Other Expenditures of the City of Wilmington, Ohio During the Fiscal Year Ending December 31, 2009.

Motion passed.

Director of Law read the ordinance by title only.

President Ertel said he assumed the second and third reading would be on the agenda for the next meeting.

President of Council-Fred Ertel: Are there any issues anyone is aware by only having first readings tonight, will we need a special?

Director of Law-Kathryn Hapner: We always need a special at the end of the year.

President of Council-Fred Ertel: Do you think we can pick that up?

Committee member McKay: We can pass the rest of the agenda items at the next meeting and we will still be okay.

President of Council-Fred Ertel: Okay, thank you. Water Committee, please.

Water Committee-Committee Chair Wallace: No report, Mr. President.

Streets Committee-Committee Member Wells – No report.

President of Council-Fred Ertel: Solid Waste/Recycling Committee

Solid Waste/Recycling Committee-Committee Chair Wells: Mr. President, I have one item on the agenda; the first reading on an ordinance Amending Codified Ordinance §925.24 Concerning Waste Collection Fees and Declaring an Emergency. About three weeks ago, the Solid Waste Committee had our first budget meeting and we reviewed the 2009 budget and it was explained to the committee at that time that we need to have a trash fee increase and if we are going to own a landfill and operate it, there are certain obligations that we have to meet to keep it running. But the downside of all that is that this is going to increase our utility bills and what bothers me is that at this time when we are having bad economic times and we are asking the city employees, the police officers

and firefighters, everybody to take less money. I would like to see the City of Wilmington take less money. And to fully support a trash fee increase, I think that we could beyond just deferring our sewer rate for next year is to take a slight decrease to lower it to offset this trash fee increase and I thought we would have another budget meeting and have a chance to discuss this, but we didn't and it is on the agenda so I just wanted to bring this out in the open and maybe we can have some discussion about this. I think that we are in good enough shape on that fund that we could do that. So is there any discussion?

Councilmember McKay: Do you want to discuss that under Solid Waste or Wastewater Sewer?

Solid Waste/Recycling Committee Chair-Wells: Either one. Anybody have anything they want to ask or say?

President of Council-Fred Ertel: So, in essence, in what you are suggesting, you want to raise the fees in Solid Waste Recycling at the detriment of Sewer.

Solid Waste/Recycling Committee Chair-Wells: I don't want to raise any fee, but it was explained to us that we have to, to operate our landfill. So in these economic times that's going to make an increase in our utility bill, so to offset the increase if we could lower our sewer rates slightly to offset the increase and keep things the way they are for awhile anyway until we see what our future is.

Scott Kirchner: Mr. President if I could, I listened to the tape of the Solid Waste/Recycling meeting, it was not Chairman Wells that brought a recommendation for an increase in waste collection fees, it was the Mayor. And that 20+ percent increase in waste fees is a hardship on this community, period, and I support Councilman Wells in his stand against it. I think the over abundance of profit being driven by the city sewer system more than needs curtailed and could more than compensate for what he is talking about.

(More than one individual speaking at a time.)

President of Council – Fred Ertel: Thank you. Thank you. We have before us here a reading, do you think it is best to go ahead in both cases, these are first readings and then we can have a joint meeting between those two committees to see if there is (could not understand next word.) These are first readings.

A motion was made by Wells and seconded by Jaehnig to give the first reading only on the ordinance Amending Chapter 925.24 of the Codified Ordinances of the City of Wilmington Regarding Waste Collection Fees and Declaring an Emergency.
Motion passed.

Director of Law read the ordinance by title only.

President of Council – Okay, looking at then a second and or third reading next time with amendments to one or both, okay.

Solid Waste/Recycling Committee Chair-Wells: Thank you, Mr. President.

President of Council – Fred Ertel: Thank you. Wastewater /Sewer Committee.

Wastewater/Sewer Committee- Committee Chair McKay: The item is a first reading on the ordinance Authorizing the Deferral of Rate Increases for the Year 2009, for a period of one year.

President of Council – Fred Ertel: In essence then, what you are saying is you are deferring the rate increase.

Wastewater/Sewer Committee-Committee Chair McKay: That is correct.

Scott Kirchner: Mr. President, that would be the fourth in a series of increases that he is deferring, if we could clarify.

President of Council – Fred Ertel: Certainly, we are deferring then.

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Authorizing the Deferral of Sewerage System Rate Increases Scheduled for January 1, 2009, for a Period of One Year, and Declaring an Emergency.

Motion passed.

Director of Law read the ordinance by title only.

Committee Chair McKay: We will determine how we will move forward on this.

President of Council – Fred Ertel: Judiciary Committee, please.

Judiciary Committee-Committee Chair McKay: Nothing tonight, Mr. President.

President of Council – Fred Ertel: Safety Committee.

Safety Committee – Committee Chair Wells - No report, Mr. President.

President of Council – Fred Ertel: Downtown Revitalization Committee.

Downtown Revitalization Committee – Committee Member Jaehnig: No report.

President of Council – Fred Ertel: Parks and Recreation Committee.

Parks and Recreation Committee-Committee Chair Wallace – No report, Mr. President.

President of Council – Fred Ertel: Ice skating on the pond this year?

Parks and Recreation Committee – Committee Chair Wallace – Not yet.

President of Council – Fred Ertel: Service Director, do you have a report?

Service Director – Larry Reinsmith: Skating on the streets maybe. I just wanted to remind everybody that with the winter months coming on and our short supply of salt that we have taken the position that we will plow all the street, we will plow all the major intersections first and then the side streets second and we will salt all the major intersections, but we will not be salting in the subdivisions. In the case of a major snow event, we will pretty much go back to a normal and treat it like we would under a major snow emergency. We've got about 400 ton of salt in our shed; we've got a commitment on a bid with the county to purchase 1200 tons of salt through the season. Last year it was \$40 a ton and this year the contract price is \$101.20. I talked to ODOT this week. They told us that there are 20 counties in the state that don't have contracts for salt. They've got a surplus and they are going to kind of ration it all. I mean he called us; he didn't know we had a contract, but the contract would be for a \$136 a ton and we would have to pick it up in Hamilton County. It would be quite a haul right there. I was talking to him about this salt shortage and he said the problem was a lot of it has to do with the hurricanes. They flooded all the salt mines down in Louisiana and they flooded the Mississippi so they couldn't get it up here. The salt that they are willing to sell us has come from Chili. You know the other morning we had salt all over the streets everywhere and I did drive around. As long as you drive slowly, you're all right. That is the one thing people are going to have to realize they all are going to have to slow down. And it is just not in Wilmington; it's going to be in Clinton County. They are changing their methods of salting and adding grit to it and throughout the state. A lot of communities aren't going to salt at all either. I'm just telling everybody to slow and drive carefully and we will get through it.

President of Council-Fred Ertel: Very good, thank you. Safety Director.

Safety Director – Nick Babb: No report, Mr. President.

President of Council-Fred Ertel: Thank you. Before you are two reports, Income Tax Report and Auditor-Treasurer Report, what is your pleasure, please?

A motion was made by Wells and seconded by Jaehnig to accept the Income Tax Report-November 2008 and Auditor –Treasurer Report –October 2008.

Motion passed.

Reports accepted as presented.

President Ertel: At this time, I would like to open it up to the general public for anyone to address council while in session. If you would, please come to the podium, state your name and address for the record.

Mark Rembert, 39 N. Wood St., Wilmington, Ohio – Taylor Stuchert 187 S. Walnut St. Wilmington - Some of you have met us, spoken to us in depth and are pretty much up to date with where we are, which is why we wanted to present to council where we exactly where we are for those who didn't get a chance to attend our meeting the other night. Essentially, Mark & I, Mark Rembert and I have started what essentially at the beginning was a grassroots organization that has quickly snowballed into almost a policy think tank that we are putting forth for the city and for the county in response to the DHL layoffs to present an economic strategy that we believe will offer sustainable long term jobs to the displaced workforce in Clinton County and to the counties surrounding as well. It started as a couple of letters to the editor and quickly formed into a policy framework and we feel that it is aligned politically with the state and with the national government and what the incoming administration is proposing towards federal funding for municipalities across the country. Our position is that we wanted to create a community that it will stand up amongst the rest of the country positioning itself to receive this funding towards building towards a green economy. Our policy framework goes into detail about what that entails for Wilmington and Clinton County which Mark has presented. So we would provide you with some of the materials that we put together. I'll sort of outline what we have given you. First is our roadmap to development. You know this began just sort of an idea of how can we frame the discussion of Green Development for Clinton County and we framed it into this idea of Green Enterprise Zone and we got, I guess we got energized response from people and quickly realized that we needed to take this from an idea and start putting it into a framework that would bring the community and our public officials together to begin discussing how you make a development strategy like this possible. The roadmap to development looks at three spheres that we think are essential to this type of development and we have outlined some of the key components, policies and development strategies that we think goes into each of those spheres. Now of course this is just a framework and a lot needs to be filled in, but we hope that it provides sort of the starting point to begin discussing what can be done now and what do we need to do to position ourselves for what we hope will be in some ways a convergence of two really pressing economic needs. The need for Clinton County to provide meaningful and long term employment for the areas' displaced workers and the state's need to position itself as a national leader for the development of green businesses. And when we talk about green and further in that packet, we have two sections that we devoted first to a discussion of sort of what a Green Enterprise Zone or what a Green Enterprise is. There is not a clear definition and as you will see reading this, we are proposing that this be the first Green Enterprise Zone in the country. So this would really be an innovative effort that would allow Clinton County in Ohio to set the standard for a lot of these things. For one, what is a Green Enterprise to provide a little bit of discussion of how we might go about defining a Green Enterprise, we have also included a little bit of discussion on green color jobs. So this is an issue whether a lot of times that's what people aren't familiar with and we are going to work hard to flush those out and provide at least a framework for discussing them. That's what we provided for you today. We have a website, www.energizecc.com that has a lot of information plus a little bit more and we'll continue to work very hard on this. Currently we are trying to take this from sort of a two- man operation and turn it into an actual organization that will begin bringing community members together to really start looking into this idea and you know we hope you will take a look at these materials and we could have you come back and discuss more in depth what were envisioning and how we hope we can begin working with the city and county and the state, even the federal government to hopefully make this vision a long term sustainable economic growth strategy for Clinton County. In reality, not just to save this town and this county, but to really set it up for a long-term prosperous economic future. Thank you.

President of Council – Fred Ertel: Thank you and I might add I had the pleasure of being at your meeting and it was wonderful. To one, hear the discussion and number two all of the enthusiasm and the energy that was in that room. It was very impressive.

Mark Rembert – Thank you.

President of Council-Fred Ertel: Thank you. Okay, any other persons wishing to address council.

Scott Kirchner-261 S. Mulberry St. - I have come tonight after attending the last council meeting to support Councilman Wells in his call that we do not increase the utility bills on our citizens as we face one of the most devastating economic impacts in the country, let alone in our history. I think it is a terrible thing for this council to support this Mayor in over a twenty percent increase in those collection fees. I am concerned. I think we need to reduce sewer rates. I did not support them when they were increased in 2005 and set the increase for the next five years. I do not support them where they are at now. I believe they need to be reduced. So I call on this council to be fiscally responsible as you look at a community that is facing such devastation you have to step up to the responsibility to rein in spending. Along with that, I want to point out, as I reviewed materials that were presented and talked about in that Solid Waste/Recycling meeting, there was an indication that a curbside recycling salary was to be moved to the general fund. Now I have not reviewed tonight's budget, but I will ask was there a line item moved as a recycling salary?

Mayor Raizk: We moved the entire budget for curbside recycling out of the sewer because we are trying to minimize as much as we could. We moved that entire budget for curbside recycling into the general fund away from the solid waste part, giving it a separate line item.

Scott Kirchner: Is there a salary?

Mayor Raizk: It is not a new employee, it is not a new employee it is an existing employee moving it over that is dealing with that so it's taking one away and giving it back.

Scott Kirchner: Okay, I will point out to this council, a fact that I think the Mayor is aware of, there was never an employee hired or developed to take care of curbside recycling. We have never added a body

Mayor Raizk: No, it is not a new body.

Scott Kirchner: For curbside recycling, it existed prior to curbside recycling and unless I am mistaken, as soon as you discontinue curbside recycling that body will exist, so there is no salary. This is a shell game, with money, and that for me is a problem.

Mayor Raizk: It is not a shell game. It is an existing employee that we moved over there. We also transferred an employee that from the Utility Billing Office to another Utility Billing Department, which would be the Sewer Department because we usually share those or move them around.

Scott Kirchner: When you discontinue curbside recycling, and I anticipate, the city is moving to do that.

Mayor Raizk: Why would you say that?

Scott Kirchner: Because the steps that I have seen this council take indicate to me that you are moving to discontinue curbside recycling whether it is in overt way or an underground way.

President of Council-Fred Ertel: Don, are we moving

Mayor Raizk: The program keeps increasing.

Committee Chair – Wells: I don't think our intention is to discontinue curbside recycling.

Mayor Raizk: Not at all and we felt like we needed more money for it so that's why we did that.

Scott Kirchner: Let me restate the questions. If you discontinue curbside recycling, will you remove an employee from the landfill?

Mayor Raizk: We will have to address that when we come to that.

Scott Kirchner: I'll restate the question.

Mayor Raizk: I answered your question.

Scott Kirchner: If you discontinue

Mayor Raizk: I answered your question, we will look at that if

Scott Kirchner: Will you remove that employee

Mayor Raizk: We are not anticipating discontinuing curbside recycling, we are doing that.

Scott Kirchner: I hope that this body continues to be responsible that way.

Mayor Raizk: Yes , that's what

Scott Kirchner: I anticipate otherwise.

Individuals talking at the same time.

Scott Kirchner: When the body wasn't hired and the salary didn't exist prior to curbside and I am concerned to watch us pretend to move costs out of a budget that do not exist.

Mayor Raizk: Well, they do exist.

Scott Kirchner: When I analyze the data from the meeting, you had a 6.5 percent increase in costs of operation of the landfill. On top of that have come to the citizens asking for over 20 percent increase in their rates at a half million dollars of additional flow of cash into the landfill. And to me this is not responsible budgeting at this point (end of tape Side A)

Mayor Raizk: The permit is under consideration and should be done by the first of January.

Scott Kirchner: Now that is not what the Ohio EPA told me this week. In fact, they indicated that it would be the late February at best.

Mayor Raizk: Early March.

Scott Kirchner: March timeframe, you said January 1, so I

Mayor Raizk: I said by the first of January and we are taking steps to try to facilitate that along, Scott.

Scott Kirchner: Do we have current bids to install that vertical expansion?

Mayor Raizk: Yes.

Scott Kirchner: We have bids to begin construction?

Mayor Raizk: Not to begin construction, we have

Scott Kirchner: We have actual costs?

Mayor Raizk: Yes, we have the engineering study and our projected costs.

Scott Kirchner: But we don't have anybody that has agreed to do it for those costs?

Mayor Raizk: Well we can't do it until the PTI is awarded.

Scott Kirchner: So we don't have actual costs, we don't have a Permit To Install and you are asking the citizens to start forking up extra money?

Mayor Raizk: We are going to have to because it has to be done very quickly. The rate comes, the dollars come after the rates collected. I don't understand what you are saying.

Scott Kirchner: You don't even know what it is going to cost you to install

Mayor Raizk: Yes we do.

Scott Kirchner: You haven't bid it yet.

Mayor Raizk: We haven't bid it, but our estimates are pretty good on our engineering estimates.

Scott Kirchner: Correct me if I'm wrong, didn't we have a sewer project that had an engineering estimate and our actual bids came in double, what did that cost for us, this past year or this year actually? Did we not have a project where our costs compared to our estimates doubled or close to doubled?

President of Council-Fred Ertel: Who are you asking that question to?

Scott Kirchner: I'm asking Service Director Reinsmith.

Service Director – Larry Reinsmith: We had one job and we just rebid it, just awarded it, we modified the engineering on it so we could do it cheaper.

Scott Kirchner: It was my understanding there was potentially a project on the east end of town where the engineering estimate and the actual bids and costs were very disparate.

Service Director – Larry Reinsmith: Are you talking Darbyshire?

Mayor Raizk: It came in within the parameters.

Scott Kirchner: You don't think? Do you know the numbers?

Service Director – Larry Reinsmith: No, I don't, but I can always check and tell you.

(Numerous individuals speaking at the same time so it was hard to distinguish.)

Scott Kirchner: Will you tell me on the record?

Service Director Reinsmith: When?

Scott Kirchner: On the record.

Service Director Reinsmith: No.

Scott Kirchner: You're not going to tell me on the record?

Service Director Reinsmith: I don't have the numbers here.

Scott Kirchner: You can bring them to the next meeting.

President of Council-Fred Ertel: Let's make sure that when we have the questions and so on if you could let us know ahead of time so that we can have the answers to them or

Scott Kirchner: Actually, I've got to tell you Mr. President, that question just came up because the Mayor indicated that he had a clear cost available to him.

Mayor Raizk: We have a clear estimate. We don't anticipate it's going to be that much different on the landfill. Most of that is the costs of the vertical expansion; it's not the same as the other kind of costs because we have pretty accurate data on that closure and opening that part. And those costs we've gone over with the EPA. They will be approving our permit; we have answered all the questions. They have given us some methodology to try and get it moved up a little bit, so that we don't have to be moving trash out of the landfill or to be hauling it away. We have explained to them that by the end of January, we'd probably be out of space and we don't want to incur additional costs of hauling that away.

Scott Kirchner: It is simply a concern. How long will the construction take? I mean we're going to ask the citizens to start paying the new bill prior to even having a permit to construct this expansion, prior to even being able to put trash in it. We are going to ask them as soon as Christmas is over to begin paying more so that we can build this, but we don't know what the costs will be for sure because we aren't in the environment where we can bid it. And my concern is that

Mayor Raizk: And we're going along and those costs are projected out over several years, and we have those costs.

Scott Kirchner: When I go back to the 2005 sewer rates that were projected forward for five years, we haven't done any of those major projects to this point.

President of Council-Fred Ertel: Wait a second, you just switched from

Scott Kirchner: I know and my point being that the city's history has been, "Give us the money first; we'll figure out how to spend it later." I don't think these citizens need to be asked to give the Mayor a slush fund in Solid Waste/Recycling. I think we ought to get actual costs.

Mayor Raizk: But we have those.

Scott Kirchner: Actual construction and then we can pay the fees.

President of Council-Fred Ertel: I think one of the things that would be of great interest here . . . those are all discussed in the Solid Waste/Recycling Committee as in the Wastewater. We can certainly invite you to those meetings so that you can get more information.

Scott Kirchner: And I would attend those meetings if I could have. That's why I got a copy of the tape and listened to the meeting afterwards.

President of Council-Fred Ertel: So you weren't in attendance at those meetings?

Scott Kirchner: I was not able to be there due to other commitments.

Mayor Raizk: We will begin spending that right away as soon as we can start the construction. It is a different type of expansion that what we've done before where we actually opened a cell. We will be going straight up and doing that work, but we will be loading trash and be doing it as we go.

Scott Kirchner: The other question that I have when you look at the current economic state, federal government, looking at infrastructure stimulus packages. There are possibilities by the time you begin construction on this you actually would have federal dollars available for it potentially, because it is a city infrastructure.

Mayor Raizk: I don't think so because we are going to be starting right away within sixty to ninety days.

Scott Kirchner: Somewhere around May basically, based on the Ohio EPA's indication of when the permit will be issued.

Mayor Raizk: No, they told us by March and we explained that we would be out of space by the end of January and we have some processes in place and they are going to take a look of moving the permit up. But you know, December is almost gone, Scott. We're talking only thirty days away before we are out of space.

Scott Kirchner: Well, whether or not we are out of space in the landfill is not something that I monitor, but I trust you do.

Mayor Raizk: Yes, I do.

Scott Kirchner: The other issue that I came here tonight to talk about is a concern to me and I think that this council needs to step forward and ask for accountability. It is my understanding that on November 20, Mr. Mayor, I will ask on the record and you can confirm or deny, you misrepresented a television crew into the DHL facility and it was actually a 60 Minutes crew risking this city's future of working cooperatively with DHL to gain control of the airport.

Mayor Raizk: I didn't misrepresent anything.

Scott Kirchner: Did you enter the DHL facility with a 60 Minutes television crew?

Mayor Raizk: No, I entered DHL facility with two producers from 60 Minutes, we did not have a television crew and they did not and were not taking any film. And I did explain that to the people before and they were permitted to come in. We didn't sneak them in or anything like that and they were just looking to discuss and look at the facility and they were with another crew that we were taking around to look at the facility. There were two producers, there was no television crew and we discussed it with DHL and they agreed to let them come in.

Scott Kirchner: So DHL was fully aware that you were bringing members of the 60 Minutes staff onto their facility?

Mayor Raizk: They let us come on, yes. I introduced them, I told them they were here. We talked about it and they let them come through. It was their call, not mine.

Scott Kirchner: So DHL permitted the people that you brought?

Mayor Raizk: Yes, absolutely, cause security wouldn't let us come through if they didn't permit it.

Scott Kirchner: That wasn't what I had heard, but I appreciate you setting the record straight.

Mayor Raizk: Absolutely, and it was not a television crew and it was strictly two producers at that point.

Scott Kirchner: Thank you.

Councilmember Wells: Scott, I would like to say that on behalf of Rob and Leilani and myself when we have these budget meetings and we discuss numbers and everything. We ourselves don't know the validity of these numbers. We don't work day-to-day and know everything that is going on, so it's sort of a matter of trust, the numbers that they give us and what to go by.

Scott Kirchner: I appreciate that trust and I have it in you Councilman Wells and Councilwoman Popp. Councilman Jaehnig, I hope that you share the responsibility that Councilman Wells takes. It is the realization as a former chairman of that committee and a member of this council that there was never a position for curbside recycling and when I saw that that salary was being moved I was concerned that games were being played with numbers on this budget. As I looked at the budget numbers, I saw a 6.5 percent increase year over year and I wondered to myself how can we have such incredible increases, especially when the employees have agreed to not take a pay increase. The majority of the expenses in most of our operations are due to personnel.

So, I have gotta ask the question. Now in reviewing what little I did of the budget tonight, there seems to be some changes between that meeting and now. Well, I appreciate that. My disappointment is that the public's only exposure to that data would have been there and here as I am and I did review it as I said. Now, what I don't know is whether or not the numbers I saw there reflected the phantom salary and the salary I believe of the Utility Billing chair, manager, sorry, I didn't have time to go through the detail, but I'd have to go through and see what you pulled out as far as moving salaries around, moving things to general fund and moving expenses out just so the public is aware that the only expenses to the curbside recycling program are the bags that we put things in and the fuel for the vehicle that already exists and we won't get rid of at the landfill to pick them up. So there are only two expenses.

Councilmember Jaehnig: That would not be correct, because a different truck has to go around and pick those bags up.

Scott Kirchner: Incorrect, incorrect, the bags were used so that existing equipment could pick them up and if I could

Councilmember Jaehnig: It is existing equipment, but it is the second trip around to pick those bags up.

Scott Kirchner: I believe I said fuel for.

Councilmember Jaehnig: Right, but it takes more manpower. Being in the transportation business

Scott Kirchner: It does not, it did not. We did not add a body. They had personnel that had additional time. We had equipment that had additional utilization that was available. The other item, if I could finish, that was an expense is the cost of processing the recyclables. Those are the only three costs associated. The major one of which is the reprocess of the recyclables, sorry.

President of Council-Fred Ertel: I think we are covering already plowed ground if we could. Any other comments, can you sum it up in just a few words?

Scott Kirchner: I think I've gotten there. The citizens don't want an over 20 percent increase in their waste fees and a reduction in their utility bills.

President of Council-Fred Ertel: Thanks – Scott. Okay, any other persons wishing to address council while in session. Okay, do I have a motion?

A motion was made by McKay and seconded by Wells to adjourn.
Motion passed.
Council adjourned.

ATTEST:

President of Council

Clerk

Wilmington City Council met in regular session on Thursday, December 18, 2008, with President Fred Ertel presiding.

President of Council – Fred Ertel: I would like to call the Thursday, December 18 meeting of Wilmington City Council to order, please.

The Pledge of Allegiance was given.

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

Assistant Chief Weyand was also present.

A motion was made by Jaehnig and seconded by Popp to approve the minutes of the last regular meeting as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: Also on the docket is a second and third reading on a resolution appointing Dave Hockaday, a person who we all know, to the Income Tax Review Commission. Any discussion?

A motion was made by McKay and seconded by Peterson to suspend the rules and give the second and third reading only on the resolution Appointing A Member of the Income Tax Board of Review and Declaring an Emergency.

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

(Lynn Turner, Director of Law Pro-Tem served in the absence of Law Director Kathryn Hapner.)

Director of Law Pro-tem read resolution by title only.

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

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

Motion passed.

Director of Law read the resolution by title only.

President of Council declared Resolution No. 2111 passed as read.

Councilmember McKay: What was Mr. Jaehnig's vote?

Councilmember Jaehnig: Yes, and I am here again.

Councilmember McKay: Still here!

Councilmember Jaehnig: Still here, yes. Thank you.

President of Council-Fred Ertel: Okay, that completes my portion of the agenda, Mr. Mayor.

Mayor Raizk: Thank you, Mr. President. I just very briefly tonight, first of all I would like to say that in the holiday spirit, Gary, we will waive your tardy slip and will tear that up. So just as our present to you and I would like to say, this is not a gift, but it comes at a good time and it is because of hard work and I want to recognize our Human Resources Department and Dan Mongold. We just received an additional \$3,197.53 because we earned an additional 2 percent performance bonus for the 2007 calendar year from the Bureau of Workman Compensation. Now, if you remember, we just received a check for \$3,197.53 in October. This brings our total now to \$6,395.00 and, Dan, thank you, good job and to all the employees and the programs you instituted. That's kind of a neat little Christmas gift. The only thing I would like to say to all of you and up here out there is everyone have a very, very happy and warm holiday with your family and your friends and we'll look forward to a challenging, but ultimately happy new year and from the bottom of my heart I want to thank everybody for all the things that you have put up with and I want to thank the employees of the City of Wilmington most of all.

They have, in trying times, really delivered this year and they deserve your thanks, congratulations, and happy holidays to every one of them and their families and to the citizens of Wilmington. We pray we have a safe and happy holiday season. I just wanted to say that. Thank you; that's all I got.

President of Council - Fred Ertel: Thank you Mr. Mayor.

Asset, Acquisition and Use - Chairperson Mongold: No report, Mr. President.

President of Council - Fred Ertel: Okay, Mr. Auditor.

Auditor-David Hollingsworth: I have one item.

President of Council-Fred Ertel: Excellent.

Auditor-David Hollingsworth: Before the year ends. Mary Kay, my Deputy Auditor, just informed me before the meeting that we have qualified for a reimbursement, due to the little windstorm that came through on September 14, FEMA, we are going to be reimbursed \$73,372.00 and that is to cover salary and equipment costs in cleaning up debris after the windstorm. I guess there is more money coming, but we haven't been approved yet for the remainder of it, but we have been approved for \$73,372.00 coming back. That's all I have.

President of Council – Fred Ertel: Excellent.

Councilmember McKay: Could I ask what we applied for, how much?

Auditor –David Hollingsworth: We'll ask Mary Kay, what did you say close to

Deputy Auditor – Mary Kay Vance: Our 75 percent will be about \$130,000 all told or somewhere in that vicinity. (A few other words could not be distinguished.)

President of Council – Fred Ertel: Perfect, super. Okay, questions or comments?

President of Council – Fred Ertel: Finance Committee.

Finance Committee-Chairperson Mongold: We have numerous items tonight and the first item is an ordinance establishing a new fund, the CDBG FY2008 Fund. This is a carryover from the last meeting.

A motion was made by Mongold and seconded by Peterson to suspend the rules and give the second and third reading only on the ordinance Establishing a New Fund.

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

Director of Law Pro-Tem read ordinance by title only.

A motion was made by Mongold and seconded by Popp to pass the ordinance as read.

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

Motion passed.

President of Council declared Ordinance No. 4811A passed as read.

Chairperson Mongold: The second item also is a carryover from the last meeting. It is an ordinance making supplemental appropriations.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading only on the ordinance Making Supplemental Appropriations.

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

Director of Law Pro-Tem read ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4812 passed as read.

Chairperson Mongold: The next item also is a carryover; it is an ordinance making miscellaneous transfers.

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

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

Director of Law Pro-Tem read ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4813 passed as read.

Chairperson Mongold: The next item is making appropriations for the current expenses and other expenditures for the City of Wilmington, Ohio during the fiscal year ending December 31, 2009, as amended. After several conversations this week, we have all agreed to move forward and suspend the rules and regulations and give second and third reading in title only. Are there any questions before we?

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on ordinance Making Appropriations for Current Expenses and Other Expenditures of the City of Wilmington, Ohio During the Fiscal Year Ending December 31, 2009, As Amended.

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

Director of Law Pro-Tem read ordinance by title only.

A motion was made by Mongold and seconded by Peterson to pass the ordinance as read.

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

Motion passed.

President of Council declared Ordinance No. 4814 passed as read.

Chairperson Mongold: The next item tonight is an ordinance making supplemental appropriations. Do you have any questions?

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

Motion passed.

Director of Law Pro-Tem read ordinance by title only.

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

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

Director of Law Pro-Tem read ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4815 passed as read.

Chairperson Mongold: The next item is making miscellaneous transfers.

A motion was made by Mongold and seconded by Popp to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed.

Director of Law Pro-Tm read ordinance by title only.

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

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

Director of Law Pro-Tem read ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4816 passed as read.

Chairperson Mongold: The last item is an ordinance making supplemental appropriations and these are the negative supplementals. The Auditor will speak to these, but by doing this tonight, hopefully, we won't have to have a special meeting.

Auditor-David Hollingsworth: That's really all I was going to say was that Mary Kay has worked very hard to try to earmark everything that we have to make that we are not going to spend we have to make negative appropriations to, just until year end.

Hopefully, we haven't missed anything and if we have, we'll have to have a special meeting. The intent was to do it now and not to have to have a special meeting between now and the first of the year.

(More than one individual speaking)

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

Motion passed.

Director of Law Pro-Tem read ordinance by title only.

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

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

Director of Law Pro-Tem read ordinance by title only.

A motion was made by Mongold and seconded by Popp to pass the ordinance as read.

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

Motion passed.

President of Council declared Ordinance No. 4817 passed as read.

President of Council - Fred Ertel: Anything else, Sandy?

Chairperson Mongold: I just would like to wish everyone a very Merry Christmas, Happy Holiday.

Treasurer-Geoffrey Phillips: Mr. President.

President of Council - Fred Ertel: Yes.

Treasurer - Geoffrey Phillips: A question, I don't see in the budget, the title on the agenda says as amended. Were there amendments after the first reading?

Deputy Auditor-Mary Kay Vance: Yes, there were a couple of line items in the Recreation Fund that we had to adjust. One in particular was the Bureau of Workers' Comp line; he needed some more money so we took it away from another line the bottom line did not change on that one. And then Laura had the final numbers on our liability insurance and so we had to plug that number so it only changed the bottom line by \$5,000.00 or something, that was the essence of the difference. I (unable to hear final comment.)

Council member Mongold – Should we amend?

Treasurer-Geoffrey Phillips: I was wanted to point, whatever you probably should, I'm not an attorney but you probably should move to amend because it is different from the first reading. That's been your practice in the past.

President of Council-Fred Ertel: We can do that.

Chairperson Mongold: I read it As Amended, but it would be . . . I'll make a motion to amend the ordinance.

President of Council – Fred Ertel: If we make the motion to amend, even though it has been passed, then it is in proper processes. Do you think that is okay, Lynn? Let's do the whole thing again.

Director of Law –Pro-Tem: I think you probably should.

President of Council – Fred Ertel: All in favor of the amendment to the budget which is item D here, signify by saying yea, opposed nay. Okay, it is now amended so it is ready now for a second and third reading.

A motion was made by Mongold and seconded by Peterson to suspend the rules and give the second and third reading on an ordinance Making Appropriations for Current Expenses and Other Expenditures of the City of Wilmington, Ohio During the Fiscal Year Ending December 31, 2009, As Amended.

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

Director of Law-Pro-Tem read ordinance by title only.

A motion was made by Mongold and seconded by Peterson to pass the ordinance as read.

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

Motion passed.

President of Council declared Ordinance passed as amended and read. (Ordinance No. 4814.)

President of Council-Fred Ertel: Okay, thank you. Water Committee, please.

Water Committee-Committee Chair Wallace: No report, Mr. President.

Streets Committee-Committee Chair Peterson – No report.

President of Council-Fred Ertel: Solid Waste/Recycling Committee

Solid Waste/Recycling Committee-Committee Chair Wells: Mr. President, I have one item on the agenda. I also would like to say that the other night when we were talking about the solid waste district I called Randy Riley and made arrangements for him and Jeff Walls to come to City Council in late January or early February and give us a report and kind of tell us what the City of Wilmington is getting for our \$80,000. If anybody has any questions at that time that would be a good time to ask them. So I just wanted to let you know that. I asked Mary Kay, it was \$79,233.46 to the Solid Waste District, so that's what it was. Okay the one item tonight is the second/third reading on an ordinance amending codified ordinance Chapter 925.24 regarding waste collection fees and declaring an emergency. Is there any discussion?

Councilmember Peterson: I'll second that, I apologize. I was out of line again.

A motion was made by Wells and seconded by Peterson to give the suspend the rules and give the second and third reading only on the ordinance Amending Chapter 925.24 of the Codified Ordinances of the City of Wilmington Regarding Waste Collection Fees and Declaring an Emergency.

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

Director of Law Pro-Tem read ordinance by title only.

A motion was made by Wells and seconded by Peterson to pass the ordinance as read.

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

Motion passed.

President of Council declared Ordinance No. 4818 passed as read.

Solid Waste/Recycling Committee Chair Wells: That's all Mr. President; thank you.

President of Council – Fred Ertel: Thank you. Wastewater /Sewer Committee.

Wastewater/Sewer Committee- Committee Chair McKay: Yes, Mr. President we have second and third reading on the ordinance authorizing the deferral of sewerage system rate increases scheduled for January 1. Are there any other discussion or questions?

A motion was made by McKay and seconded by Jaehnig to suspend the rules and give the second and third reading only on the ordinance Authorizing the Deferral of Sewerage System Rate Increases Scheduled for January 1, 2009, for a Period of One Year, and Declaring an Emergency.

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

Director of Law Pro-Tem read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ordinance No. 4819 passed as read.

Wastewater/Sewer Committee-Committee Chair McKay: That's all I have and I too certainly wish all of you a very Merry Christmas and a Happy New Year.

President of Council – Fred Ertel: Thank you, Mark.

President of Council – Fred Ertel: Judiciary Committee, please.

Judiciary Committee - Committee Chair McKay: No report. I'm sorry.

President of Council – Fred Ertel: Safety Committee.

Safety Committee – Committee Chair Wells - Mr. President, I have one item on the agenda tonight and that would be three readings on a resolution accepting a gift of \$300 from the Antique Power Club for the Police K-9 Unit. Is there any discussion?

A motion was made by Wells and seconded by McKay to give the first reading only on the resolution Accepting A Gift.

Motion passed.

Director of Law Pro-Tem read resolution by title only.

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

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

Director of Law Pro-Tem read resolution by title only.

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

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

Motion passed.

President of Council declared Resolution No. 2112 passed as read.

Safety Committee-Committee Chair Wells: I would very much like to thank the Antique Power Club for their generous gift helping our K-9 Unit. I too would like to wish everybody a Merry Christmas and a Happy New Year, especially Danny Mongold.

Human Resources Director – Danny Mongold: Merry Christmas, Don.

President of Council – Fred Ertel: Downtown Revitalization Committee.

Downtown Revitalization Committee – Committee Convener Mongold: No report.

President of Council – Fred Ertel: Parks and Recreation Committee.

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

President of Council – Fred Ertel: Service Director.

Service Director – Larry Reinsmith: No report.

President of Council - Fred Ertel: Safety Director.

Safety Director – Nick Babb: No report.

President of Council-Fred Ertel: Thank you. Before you is the Auditor-Treasurers report for November 2008. What is your pleasure?

A motion was made by Wells and seconded by Peterson to accept the Auditor – Treasurer Report –November 2008.

Motion passed.

Reports accepted as presented.

President of Council- Fred Ertel: At this time, I would like to open it up to the public and/or council to address council while in session. If you would, please come to the podium, state you name and address for the record.

Mayor Raizk: I just wanted to say, we don't often get her here, so that I can say publicly, but last Friday night we had the city Christmas party, many of you could not make it, and I'm sorry that you missed it, but we had a great turn out. I really have to say thanks to Mary Kay. This is a labor of love for her; she works very hard to make a nice party for all the employees. We had a great turn out, had a lot of fun and many interesting things. I just wanted to publicly thank her for all the work she does on that because we have gifts, prizes, and all kinds of things and she goes out of her way to make sure that the employees have a really nice Christmas party to go to and it doesn't cost one penny of taxpayer dollars. And we had one of our own employees, Danny Sheeley, "Sug" as you know has a great D-J business and his deal is he'll be our D-J forever as long as we never charge an employee to get into the Christmas party. Everybody contributes and has a good time and Mary Kay I just wanted to say, "Thank You."

Deputy Auditor – Mary Kay Vance: Thank you.

President of Council – Fred Ertel: Very good, anyone else. I certainly would be remiss.

Councilmember Jaehnig: Sorry to slow you up, but Mr. McKay and Gary and I were out at an event the chamber held this afternoon in which they rolled out a program, I'm sorry Mr. Phillips was there too, that's call the Lamplighter Program and it is just nice to see the continued effort to put a positive light on the individuals and community of Clinton County. I won't steal their thunder, it will make tomorrow's paper, Gary? Saturday at the latest. But they gave away their first Lamplighter's award for those that are lighting the way in how to be a good community citizen in taking care of those friends and family and so forth and it was just very nice to see and I applaud them for it, and Happy Holidays.

Councilmember McKay: Your wife was there too.

Councilmember Jaehnig: Yes and my wife was there, and your wife was there. I could run through the whole list if we want to filibuster.

President of Council – Fred Ertel: Thank you much. I, too, would like to wish everyone a very Happy Holiday Season and thank you to Mary Kay. This may be the last time we meet in 2008 so we look forward to a new and prosperous year of 2009. Thank you so much.

President of Council - Fred Ertel: Okay, do I have a motion?

Councilmember Popp: Mr. President, I have not had the opportunity to wish everyone a Merry Christmas and I truly believe it will be a great new year in Wilmington.

President of Council - Fred Ertel: How about Mike, you're the only one left.

Councilmember Wallace: Absolutely, I would like to say Merry Christmas and a Happy New Year.

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk