

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