

Wilmington City Council met on Thursday, June 4, 2009, 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.

President Ertel: Thank you so much. I would like to welcome a new face to our efforts here. Andrea Tacoronte. Did I do that right?

Andrea Tacoronte: That was very good.

President Ertel: She is the new replacement for Pauline, who retired just last Friday. Andrea has been with us for a number of years doing different things and so on. We are glad to have you full-time now. So, we look forward to a big and prosperous future. If you have any questions, let us know.

A motion was made by Wells and seconded by Peterson to approve the minutes of the last regular meeting, May 21, 2009, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel : At this time, I would like to introduce Allen Fore from Rockies Express East. They have a little presentation here on their progress. For persons in the audience, if you can, switch those from time to time for us and for them. We would appreciate it so that they have everything and then can see all of the information we can see. Thank you.

Allen Fore: Thank you very much, Mayor and Council. My name is Allen Fore. I am with Kinder-Morgan, which is the parent company of Rockies Express Pipeline. I'm sure you are all aware of our pipeline, with our big pipe yard down the road and our two contractor yards now in full operation. I just kind of wanted to give you an update on the project, where we are right now, and what you can expect to see from us over the next few months and the benefits that we are bringing to the community and are very pleased to be doing so. I think you all have hats.

President Ertel: We appreciate that, by the way.

Allen Fore: The Mayor was gracious enough to come to our construction kickoff a few weeks ago. Those fall within the ethics.

President Ertel: We think so.

Law Director Kathryn Hapner: I was just thinking, "We're okay on the ethics."

Councilman Jaehnig: The Auditor is not here...so you're good to go.

Allen Fore: We are a natural gas pipeline. Ohio is actually the last phase of our project. We're 1700 miles long. I think one of these shows our project map. In your packets, you all should have the presentation that I am going to be speaking from. We're a 42-inch natural gas pipeline, the largest energy infrastructure project in North America – 1700 miles long – extending from Weld County Colorado and eventually terminating in Eastern Ohio, right on the West Virginia border, in Monroe County. We have been at this a long time. This is about our fourth year of construction. We are under construction in all phases of the project now. We are complete with construction to eastern Missouri. There is about a thousand miles of pipeline in operation flowing about 1.2 billion cubic feet per day of natural gas. That is enough to heat about two million homes. Once we are

complete with the project, and we are in our final phase of construction now in Ohio, we are expected to have gas delivery to Lebanon, Ohio, to the Lebanon hub, by the end of this month. That will be a capacity of probably about 1.5 billion cubic feet. Then, by the end of the year, in service all the way to eastern Ohio. The importance of the project is multifaceted. The primary purpose of the project is to provide a very plentiful and new source of natural gas to this part of the country. Right now, natural gas prices are down, which is good – good for the State of Ohio and good for the country – but they will not always be. This pipeline provides infrastructure across the country for Rocky Mountain gas. Right now, there is no direct transportation system to get that gas from the Rocky Mountains, where it is very plentiful and cheap, throughout the United States, throughout the states that we pass and into the State of Ohio. It is important to note about our project, too, it is not simply a transportation system moving gas from the Rocky Mountains to the east coast. There are multiple delivery points all along the route that we pass – 20 delivery points, in fact, on the eastern 700 miles – and several delivery points right here in the State of Ohio. What that means is that gas from this line will be flowing to customers in the State of Ohio. Columbia Gas is one of our delivery points, as well as several others. That means that additional supply of natural gas will be flowing to consumers in the State of the Ohio. I think that is important for you. Very likely, some of you and your constituents will be receiving some of that natural gas. So, that is the long-term, most important part of the project.

Allen Fore: Let me give another long-term benefit (which I think you will also appreciate) and that is the tax revenue generated off of this pipeline. Clinton County will receive, we are estimating, about \$1.7 million annually in new tax revenue once we are operational. Ohio has a unique tax structure. Did I say unique? It's large – a large taxing structure – on natural gas – on interstate pipelines. We are taxed at around 88% of assessed valuation, which means a very significant revenue stream for any taxing jurisdiction through which we pass; so townships and school districts will be the biggest beneficiary of tax revenues. Any tax district we pass through in this county will get part of that \$1.7 million annually. That is going to be significant, not only during the first year, but in the many years we are in operation. Our anticipation is, the commodity that we are transporting is natural gas, the supplies from the Piceance Basin in Colorado are plentiful, and we expect to be flowing gas in this line for 50, 60, 70 years and more. The technology with construction of pipelines of this kind today...really...there is no shelf life for a pipeline. As long as it is properly maintained, it can be operational long after anyone in this room, including the young people who are over here, so it has a very long, long shelf life.

Allen Fore: Temporarily, there are also a lot of benefits. At our two construction yards out by the interstate, we are employing right now a workforce of about 1200 to 1300 people. Those are union construction workers – good jobs – welders, operators, teamsters, laborers and support personnel, so it is a very significant boost locally. Those are a combination of local workers and also other workers that are brought in. The uniqueness of our project, the local unions will fill those jobs with local folks as much as they can. The ones they can't, they will bring in folks from other parts of the country, other union locals, to assist. So you get the benefit of people who are here, who are going to have local jobs during the course of construction, which should last until close to the end of the year, as well as those that are coming from outside who are living here for several months and spending their money here. I think that is important to your local businesses.

Allen Fore: In addition to that, our construction yards do use local vendors for anything that they purchase from fuel, to commodities, to anything that is related to construction. We have already spent around \$3.9 million on local vendors. You have a list of several of those in your packets. We anticipate by the time we are done with construction that revenue will be well over \$10 million into your local economy. We know that is important in a tough time.

Allen Fore: We are also going to be doing some other things. Matt was talking today to the city about donating some wood chips that we have. It may sound insignificant, but we are talking about several thousand dollars worth of wood chips that we want to donate to some park district or somebody in the area that could use those. I think we

have some good options with the county to do that, but we did make that offer to the city as well. We are also going to be making a donation to the school district, out of the Kinder Morgan Foundation. All of these kinds of things are to be a good corporate citizen, a good neighbor. I think we have been. We have had a construction yard here for some time now. We are really increasing that impact over the next several months. We are going to be here a long time. We want to be a very good neighbor to the community. We are very pleased, and on behalf of our thousands of construction workers and others that are in the area and have been, they have been welcomed, and we do appreciate that. It is a very welcoming community. Folks have been glad to be here, and we appreciate the support that you have given us throughout the course of this project and over the next several months. That is not to say that there might be some issues that come up. When you have a thousand of construction workers and others in the area, you may have issues from time to time. We are here to be responsive to the elected officials in the community for that and with that and happy to respond with our teams of folks on the ground to assist in any way that we can.

Allen Fore: In a time in the United States when we are talking about less reliance on foreign energy, (The president is talking in ten years about complete non-reliance, if you will, on foreign sources of energy), these are the types of projects that are necessary. Transporting domestic energy to the United States. Not having to rely on foreign crises or governments that really don't like us very much. All we have to rely on now is the government of the State of Colorado, and I think that is pretty reliable. These types of projects are very, very important. You are going to see a lot of other pipelines and other infrastructure projects as we try to move towards more domestic energy and also cleaner burning fossil fuels, like natural gas, and also alternative fuels – wind, solar, biofuels – all important. But you have to have an anchor for that – and that is natural gas because there is so much of it out there. We just have to have the infrastructure in place to get it from point A, where it is plentiful and usually in remote areas, to populated areas like this in the State of Ohio and across the country.

Allen Fore: So we appreciate the support you have given us, and we look forward to being here for the next several months. Again, if you have any questions at any time or issues or concerns, please feel free to contact us, and we will certainly invite the council and elected officials. We do a number of right-of-way tours during construction. We would be happy to invite you up to join us on one of those. I think you will find it a very fascinating process of pipeline construction – actually out on the right-of-way to see that in person. Again, thank you for the opportunity to be here. If there are any questions, I would be happy to answer them.

Councilman McKay: I would just like to say...our family has a farm, which your pipeline is going to traverse. We have had nothing but good experiences with your folks. I just want to compliment you. It has just been all good.

Allen Fore: I appreciate that. Thank you.

Councilwoman Peterson: I represent council on the Board of the Convention and Visitor's Bureau. Properties have certainly been thankful for the visitors that have been staying there as you have been working on the pipeline.

Allen Fore: Great.

President Ertel: Very good. I have one business-related question. Natural gas through Mount Blue, which is the Lebanon link, correct? You are going to be hooking up within the month? Can we expect significant decreases in cost?

Allen Fore: I've never been asked that. Let me answer that in a couple of ways. We create the infrastructure. Rockies Express Pipeline is a partnership between ConocoPhillips, Kinder Morgan, and Sempra – three large energy companies, but we build the infrastructure and own the infrastructure. We don't own the gas. It is much like a toll-way. We build this as a private company. By the way, no stimulus money or government loans or anything like that; it is all privately financed. The way we get our return on the investment is by a federally regulated toll, regulated by the Federal Energy

Regulatory Commission. They say what we can charge to allow gas to come through the line that we built. Now, having said that, the shippers that do own the gas, it is market driven. So an additional up to two billion cubic feet a day is going to be flowing in this line when we are fully operational. That is going to be a new supply of natural gas to the market that was not here before. The market would generally indicate that that new significant amount of natural gas would lead to a decrease in prices. In fact, this is not quoting me, but a Toledo newspaper did an analysis of what they thought it would mean when we went online and they are estimating that it will lead to a reduction in natural gas prices for the consumers.

President Ertel: Good news.

Mayor Raizk: Did you not tell me, I think, when I was at your construction meeting, that Vectren is one of the customers?

Allen Fore: It is.

Mayor Raizk: We have had pipelines that have traversed this area before, but no one really along the pipeline ever benefited in terms of that.

Allen Fore: Is Vectren the local provider?

Mayor Raizk: Vectren is the local provider. It is a new name for Indiana Gas...and they are one of ours.

Allen Fore: They are a delivery point and will be purchasing gas from the line.

Mayor Raizk: That's great.

President Ertel: Okay. Thank you so much. Are there any comments or questions from the general public?

President Ertel: Okay, Allen. Thank you very much. We appreciate you coming. Keep up the good work. Next on the agenda is John Schum, and he is going to talk to us about the bicentennial stained glass project.

John Schum: Thank you ladies and gentlemen, members of council. I had initially made a proposal to the city to jazz up the city seal a little bit – the existing one. The first proposal had some different color changes and stuff like that. The existing one is red and blue with some black lettering and some white lettering on it. I was just trying to jazz it up a little. I talked with Miss Curliss about it and I think she spoke with our Mayor. The suggestion came back, “Why don't you look into something a little different. See what you've got and let us take a look at it.” I went back and worked on it for a while and made a rendition of the city building. It is not exactly technically accurate, but it is a rendition of the city building. There is something on there about the city and that we are having our bicentennial next year. I tried to incorporate a little of that in there. There is a little banner across the bottom and some sunshine behind it, you know, to make it look nice. With some input from several people, we went through a couple of different color versions, and this is what has come back as what they said they would like to have. The city has, in fact, purchased the rights to own the seal, and this will be, if I understand it correctly, Mr. Mayor, our new city seal.

Mayor Raizk: Yes, that is correct.

John Schum: I don't know exactly when it is going to be coming out, when we are going to see it on the city vehicles or anything like that, but I would imagine it would have to do something to do with the bicentennial next year. I mean, it would seem to be logical to that. Anyhow, in keeping with that, my proposal was then to put an image of this in a 6-foot diameter stained glass window right here above the door. At this point, this is a like an inverted-bowl shape – a semicircle – above the door of the archway on South Street, which would be the east side of the building. There are two sets of doors that have the same basic shapes of glass in them. I think, in speaking with the gentleman

from the city here, this is to be mounted to the inside of the exterior set, so you would still have the benefits of the thermopane glass and the protection for the colors. In addition, you would be able to mount it fairly easily to the inside there – securely fastened. I have spoken with Xenia Glass. They said that they were the ones that installed your doors when you had your building constructed. That is what they told me. They were perfectly willing to use their licensed, bonded people with scissor lifts and all of their workman’s comp and insurance and all that stuff to put that in, so that I wouldn’t have to wrestle a six-foot, several-hundred pound piece of glass by myself on a stepladder up there. I was very grateful for that. This is where we are right now. I have had this sitting over in my shop over at the South Street Gallery on an easel. Occasionally, what is cool, is people will be walking around downtown again, like when we were kids. They will stop in and look at the stuff, and they see this and they ask about it. I tell them the little story thing. I say, “We’re trying to put together a proposal for the City so we can put this stained glass up there on the east side of the building.” Almost without exception they say, “How can we contribute to that?” or “Who is taking care of the process for this?” Then it occurred to me, well, I don’t own it anymore. It belongs to the city and I need to go see Miss Curliss about this. She is the lady who I have been talking to about trying to get my business going and what do I need to do and who do I need to see and all that. She has been a real good source of information for me over time. She suggested that there were certain things that needed to happen. You have to have a specific...maybe an ordinance or a proposal passed to see if the city wanted it to start with. Second, once you have a desire for something like this, you need to have a hole to put the money in and someone needs to take care of that. It all has to be handled in accordance with whatever the regulation are. So that is where we are at right now. There was a letter, I guess it is a letter, put together. I think maybe you all have a copy of this. It refers to the proposed stained glass window and where it would be located and the cost. I guess, at this point, the city has agreed to accept donations for the project. When sufficient funds are raised, I can begin work. The way that stained glass projects work for commissions like this, is that once you have half...I guess it is like that with construction stuff too...when you have half down and the other half on delivery. Actually, you only need to have half of the money for me to get started on that. I am going to need several months to make it because it is a great big thing. It is not just that it is more pieces of glass. I have to make a table first to put it on because it is so big. You have to be able to handle it safely. You just can’t pick it up and move it around because it will bust. I have to do setup for that. I usually don’t make big giant things like this. I have before, but whenever I do, I have to engineer stuff so that I can handle them properly so that I don’t damage myself or bust them up. So that is where we are at right now. It is going to take several months to make it. I think the general consensus is it would be cool to have it for the beginning of the bicentennial since it has bicentennial all over the front of it. That is why toward the end of August would be a good kickoff point to shoot the gun so to speak. Do you have any questions about anything?

Councilwoman Peterson: I just have a couple of comments. As we talked about this during the committee meeting, we like it and think it is a great idea. We obviously don’t have the money for it, but we are willing to accept donations. Our concern was even if we get half and you get started (we would hope the donations would continue to come in), but it would be a risk to you. That is my only concern.

John Schum: Right.

Councilwoman Peterson: Hopefully, we would see some activity and some donations, but that was a concern that we did voice during the committee meeting.

John Schum: I understand.

Councilwoman Peterson: I think it is a great. I am glad you took the initiative and presented this because I think it would be a great addition.

John Schum: I am actually looking forward to seeing them on all the trucks.

Councilwoman Peterson: We are too.

Mayor Raizk: With some good publicity from Gary, hopefully, we will get these donations together.

Councilwoman Peterson: Yes, Gary, we're going to hold you accountable for this.

[Laughter]

Councilman McKay: I think it should be said that John is really a good community citizen. He has a unique talent that he has shared in a lot of ways. He has had his studio over at the General Denver and he has made a donation there to those folks that is beautiful. The fact that you have moved on and you have a whole new thing going is great for the downtown. Thank you very much.

John Schum: That's okay.

Councilwoman Peterson: We certainly hope that it moves forward.

John Schum: I am trying to get it so that there will be classes in the studio here every night of the week so we will have more people walking around downtown – well, like it was when we were kids. Is there anything else?

President Ertel: That's great. Are there any other questions? John, thank you so much. Excellent work. That concludes my portion of the Agenda. Mr. Mayor?

Mayor – Mayor Raizk: Thank you, Mr. President. The first item I have is a proclamation. As time is marching on for me and some of the rest of us, this proclamation becomes more and more important. We are going to have our first annual Senior Awareness Fair, is that right? So, I have issued this following proclamation.

Joan Burge and Sue Caplinger, representatives of the Senior Awareness Fair, came forward to accept the proclamation.

WHEREAS, The City of Wilmington recognizes the importance of honoring, protecting, and caring for the elderly in our community; and

WHEREAS, in 2008, over 16% of Clinton County residents were over the age of sixty, which places Clinton County 69th among Ohio's 88 counties in the proportion of its residents who are over the age of sixty. The Scripps Center for Gerontology projects that Clinton County's older adult population will increase by 74% within the next 11 years; and

WHEREAS, in 2007, there were 36 cases reported to Adult Protective Services of elderly citizens who were in danger of harm, unable to protect themselves, and/or had no one to assist them. In 2008, there were 494 seniors who received assistance from Elderly Protective Services. These services included meals, homemaker services, personal care, and respite.

WHEREAS, The First Annual Senior Awareness Fair will be held in Wilmington, Ohio on Monday, June 15, 2009, the day the state of Ohio has set aside as Elder Abuse Awareness Day. We believe this day should be educational and positive for all Clinton County seniors.

NOW, THEREFORE, I, David L. Raizk, Mayor of the City of Wilmington, Ohio, do hereby proclaim the 15th of June 2009 as

Senior Awareness Day

[Applause]

Mayor Raizk: If anybody can drop by on the 15th – it is 1:00 to 3:00, is that correct? At the Senior Center over on Nelson. So, please drop by.

Joan Burge/Sue Caplinger: Thank you.

Mayor Raizk: I would also just like to say this about John's seal. I am very excited about the seal. I think with the sunburst, much as the sunburst from Adena in our State symbol, I really like that aspect of it. It has some color that is very rich. To segue into our next item, we put some green on that seal. John was very good about putting some green on there, so that Wilmington is known to be a green community. I want to introduce... who is going to do the talking?

Mark Rembert: I think both of us are.

Mayor Raizk: Mark and Taylor – you are all very aware of them. First of all, I want to say, I have never seen such a great grassroots effort as what has come from these two young men. They went off to college and came back to their community and really, through whatever the circumstances or however they came to start to put this together, really have done a great job in presenting themselves. You are a credit to yourselves and your family and to your community. Wherever these things go, for the effort that you have expended and the amount of goodwill you have put through the community, for the bringing together of very disparate forces, I think you are to be commended and congratulated – no matter where this goes. I know that doesn't mean as much to you as getting the job done. Now we are talking about getting the job done. To talk about something that we have discussed in committee: A Green Enterprise Zone.

Mark Rembert: Thank you very much. It is very exciting. Especially since the last time we were here was about six months ago, just soon after we had gotten started. It is great to be back almost six months to the day from when we were here last time. As you know, we have been working since the inception of Energize Clinton County to promote the idea of establishing Wilmington as a Green Enterprise Zone. There are a few reasons why we have moved in this direction. One had not happened when we started but it has since, which is the American Recovery Reinvestment Act, which has put \$60 billion into the American economy to promote green economic development. This is a once-in-a-lifetime stimulus effort and it has been largely directed toward this area of the economy, which presents many opportunities, especially for communities like Wilmington that are economically distressed right now. The second reason is that last year at about this time the State of Ohio passed the Renewable Energy Portfolio Standards, which will require by 2025, 12½% of all Ohio's energy to be produced from renewable sources within the State of Ohio, which basically guarantees a growth in the renewable energy sector for the next nearly 20 years. So, there are great opportunities out there. As we have looked at the green economy and looked at what other communities are doing, we realized that to really spur this type of growth, to create new business opportunities, to create new job creation opportunities, two things need to be put in place on the local level. One is capacity building. Within the green economy, there are new sectors forming, new industries, new businesses, and new technologies. This is new across the country. To effectively facilitate development, especially on the local level, we have to begin building the capacity and the understanding of the businesses and technology and the local assets that we have and how those fit together. The second component is incentives for investment – spurring investment in green industry and green technology and especially in green infrastructure, which on the local level is probably the most impactful and useful type of incentive we can provide. So, the Green Enterprise Zone has tried to bring a convergence of those two areas and, in doing so, really position Wilmington to be at the forefront of local communities positioning themselves to really take advantage of this nationwide shift in our economy toward sustainable energy, renewable energy and diverse energy, along with natural gas and oil. Creating a diverse portfolio, and with that, new economic opportunities. So, I will let Taylor talk a little bit.

Taylor Stuckert: I am just going to follow Mark up a little. Again, I think you can't emphasize enough how new this type of development is and how much it is going to take, not just Wilmington, but the entire country, to build the expertise and the capacity to facilitate green development and to create economic stimulus. By creating a Green Enterprise Zone, it is not solely to benefit Wilmington on a local level: the ways we can benefit our local businesses and the ways we can attract new businesses. It is to benefit the State of Ohio and the rest of the country by presenting a model, not just of effective

policy that can be put into place which demonstrates community effort to build a specific type of development, but a model in place to demonstrate how communities that are in economic dire situations can respond to crisis. There have been communities in the past that have demonstrated this in many ways. I think this is not only a uniquely explicit way, but a very unique way of responding to this crisis. It is a unique way of demonstrating where we stand as a community in terms of building capacity and expertise that is needed to take advantage of the incentives out there and the economic potential that is available through this brand new area of development and industry. I think this will be an incredible moment for Wilmington, not just on that local level. Again, I think it will benefit our region. I think it will benefit our State. More importantly, it will benefit the rest of the country.

Mark Rembert: Just to wrap up. One thing we would really like to acknowledge also is how proud we are to have been part of the process of developing this. I think that, in itself, can serve as a model for many communities across this country. This piece of legislation was developed through a partnership of Energize Clinton County, the Clinton County Regional Planning Commission, Pure Blue Energy, which we have two representatives here tonight, and the City of Wilmington. It is truly a model for public/private partnerships – the community, business, and government coming together and working together, trying to solve big problems and really taking innovative steps to spur economic growth. We have been very proud to have been a part of it. We really have great gratitude for all those who have been involved.

Taylor Stuckert: I think it is more about the community than it is about us. I appreciate your words, Mr. Mayor, but I really do think it is a more of a demonstration of how this community works. We were talking to a reporter today about that very thing. You constantly hear about how the community is working to respond to this. I think this is just another product to demonstrate that process. Thanks to you guys.

Mark Rembert: Yes. Thank you very much.

Mayor Raizk: Thank *you* very much.

President Ertel: Very good.

Taylor Stuckert: The thing I passed out is available on our website. It just clarifies what the Green Enterprise Zone does. They are frequently asked questions that people might have. Thank you.

President Ertel: I have one question. On the first page, you are talking about a LEED-certified construction process. Could you tell me what L-E-E-D stands for?

Mark Rembert: Leadership in Energy and Environmental Design. It was a standard created by the U.S. Green Building Council. It is really probably the most significant standard we have within the green economy. LEED certification has taken off across the world as the standard for environmentally and energy efficient-designed buildings. Really, that is the benchmark, not only for green building, but I think for any sort of green standard. LEED has really sort of risen to the top.

President Ertel: That is fine. I just wondered what LEED stood for.

Taylor Stuckert: Also, this week or the following week – Wednesday night and Thursday night, we will be having an open house at our office. We invite the public to come in and discuss this and any questions they may have since it is a new thing to many.

President Ertel: For the public, where is your office?

Taylor Stuckert: 55 East Locust.

Mark Rembert: We definitely invite council to join us. We would love for you to come and be involved in that discussion.

Councilwoman Peterson: Wednesday and Thursday night?

Taylor Stuckert: Next Wednesday and Thursday.

Councilwoman Peterson: 5:00 to 7:00 or...?

Mark Rembert: 7:00 to 9:00.

Taylor Stuckert: Around 7:00 to 9:00. We are there all night.

[Laughter]

Rembert: Are there any other questions?

Councilman Jaehnig: I am thrilled to see the turnout. I think a lot of it has to do with the Green Enterprise Zone. I think you have hit it right on the head with the continuous thinking of a new way of looking at things. That is what I am the most excited about. It not only gives an opportunity for new developments to move in, but it gives every business that is already here an opportunity to look at how they are doing things and what can we do differently to be maybe more a part of this. That is what really excites me.

Councilwoman Popp: I want to thank you for coming back to your hometown giving us all of your expertise. We are very, very fortunate that you chose to come back here and help.

Rembert: It is our pleasure.

Councilwoman Peterson: As you might expect, I have just a couple of process questions. I noticed in the notes that we took from the committee meeting that we have added the stipend. We added the change in the board. One question I have is on Section 2, the second paragraph – Terms of the Board. It indicates that there are going to be two-year terms. What are your thoughts there as far as – can the terms be two years but the members can serve forever? I am just kind of asking council and also your input. I think we maybe need to be more specific there.

Mayor Raizk: We have looked at other types of boards. There is no restriction on generally how long, but the staggering is good. We've looked at that from a couple of other things out of the ORC on these types of committees so there is some continuity.

Councilwoman Peterson: If you're okay with that, then I am fine with that.

Mayor Raizk: Absolutely. One of the things I will point to is on (3) [Section 2. (3) Vacancies], because this kind of goes to your question about filling vacancies. This is something that we have seen before – where folks need to appoint, especially outside organizations, need to appoint and they need to get the job done in a hurry.

Councilwoman Peterson: That is why I wanted to start this discussion.

Mayor Raizk: So, if somebody leaves, they need to get that done within 45 days or else we are going to pull in somebody. That is also taken out of other types structures like this in the Ohio Revised Code.

Councilman Jaehnig: One of the things I would like to see in here, and I don't know how we address it through appointee or through agreement or something, is an individual that is specifically looking at the expense ratio, as far as the city and the tax effects that work. You know, whether it comes out of the treasurer's office or the auditor's office, but somebody who is working on the numbers on a daily basis, so we aren't making the mistakes as a council in giving away the farm, yet at the same token, not being so restrictive that we are not taking advantage of the opportunity to grow. I don't know if it is already covered in there or if that is something that we could look into.

Mayor Raizk: I think that may be covered, but we will make sure of that. That could be done by the Tax Review Council or something like that.

Councilman Jaehnig: Thank you.

Councilman McKay: You made mention of the two gentlemen here from Pure Blue. I didn't know if they had anything to say. You might want to give them a little bit of more introduction.

Mark Rembert: Would you like to introduce yourselves?

James Allison: I am James Allison. I am actually the CEO of Pure Blue Energy. Mark and Taylor have done a great job with putting this whole thing together. We are glad to be a part of it. Do you have any questions for us in regards to any corporate aspects?

Councilman McKay: Your business is actually...?

James Allison: We are actually a renewable energy company. Our main focus is wholesale distribution of solar panels, wind turbines, and also economic development. That obviously is why we are here today and helping out.

Councilwoman Peterson: We appreciate everything you've done.

James Allison: Jeremy actually lives in Sabina.

Jeremy Henson: I am actually a local guy. Jeremy Henson. I am the National Sales Director for Pure Blue Energy. I am in control of all of the sales nationwide. I am located outside of Sabina, by the way.

Paul Hunter: Should I be talking to these guys?

James Allison: I did want to mention. It is definitely a unique opportunity for your community to take a stand and really show the rest of the country what can be done and definitely bring some recognition to what you guys are doing here.

Mayor Raizk: Thank you very much. Leilani has an item later on in the Agenda. That is all I have, Mr. President.

President Ertel: Very good. Thank you. Let's move on into committee reports. Asset, Acquisition and Use?

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

President Ertel: Thank you. Seeing no Auditor, there will be no Auditor's report.

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

President Ertel: Finance Committee?

Finance Committee – Chairperson Sandy Mongold: Yes, we do have two items. The first item is an ordinance making supplemental appropriations. I think it is self-explanatory – income tax refunds.

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 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 Ord. No. 4848 passed as read.

Councilwoman Mongold: The second item tonight is a resolution authorizing payment of expenses incurred in a prior fiscal year.

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 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. 2144 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 – Chairperson Peterson: No report.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President. I have one item on the Agenda tonight. In going right along with the Green Enterprise Zone, we have the third reading on an ordinance approving the Clinton County Solid Waste Management District plan. We believe that – the Clinton County Solid Waste Management District, Clinton County Commissioners, and the City Council of Wilmington all working together – this is a good plan. We hope to increase our curbside recycling along with our Green Penny Initiative. I think this is going to be a good plan. Are there any questions on this?

Councilman Jaehnig: This should be the first month that they see the Green Penny on the utility bill, correct?

Mayor Raizk: Yes, I believe that is correct.

Councilman Jaehnig: So we should see that reduction that we put through two months ago, a month ago, and the addition of the one penny as a reminder that you are paying for recycling.

Councilman Wells: We are trying to increase our curbside recycling to save the taxpayer-owned landfill. Maybe this will help. If there are no other questions or discussion... Excuse me?

Paul Hunter: The packer grant...does that look like it is going to happen?

Councilman Jaehnig: It looks positive, but it is still any day. We are still waiting to hear.

Paul Hunter: So, that is on track.

Mayor Raizk: Yes.

A motion was made by Wells and seconded by Jaehnig to give the third reading only on the ordinance Approving the Clinton County Solid Waste Management Plan.

Motion passed.

Director of Law read ordinance by title only.

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

Motion passed

President of Council declared Ord. No. 4849 passed as read.

President Ertel: Wastewater/Sewer?

Wastewater/Sewer Committee: Chairperson Mark McKay: In the spirit of cost reduction, I just want to comment briefly that we still are exploring and getting ever closer to our pool fund financing option, which is going to make financing more efficient and less costly to us if and when that happens. There is a very good possibility that there could be some reduction in rates at that point. We are very hopeful and optimistic that we will hear more very soon.

Mayor Raizk: Actually, not to pin down any dates, but part of this process – the financial markets have been in disarray as well all know. The city has been approved for participating in the pool bond fund. That is good news. It has just taken a lot longer for the letter of credit from the bank so that we can finally see the bank that will be actually issuing the line of credit for the whole pool bond fund. We hope to hear something. That closing may happen before the end of this month. In fact, it should happen before the end of this month. We should be back to you with some analysis of what it would mean in terms of rate reduction and so forth very shortly. I know we have been saying that for a while, but we really are dependent on this pool bond fund happening first before we can actually make that determination.

Councilman McKay: We don't want to cry wolf, but we want to do it right and it must be done right before we proceed. We want to do the financial assessment and analysis correctly so we don't have to redo it. That having been said, our piece of legislation tonight is very interesting. It actually involves the first step in the purchase of some real property that the city is exploring. I think the Mayor may just want to make just a few more comments before we go ahead with the resolution.

Mayor Raizk: Yes. As we explained in committee (and there are some things that I am not quite at liberty to talk about at this point, as you all know), the Kautex-Textron facility is going dark. Both the City and the County Commissioners have been looking at that property. The County Commissioners need some space for parking. You all know that when you attend the fair, you are parking on Kautex-Textron property. We also have some needs in our wastewater department in that we need a good location for our excess runoff facility – our underground swimming pool, as we always like to call it. This is as close to the plant as we can get, and our trunk line runs right through this facility. At the same time, this is an aging industrial facility. We have been looking at the money available for not only acquisition but mitigation of the brownfield problems and environmental problems. What you are looking at tonight is the first step as we explore this further. We have reached an agreement...we do not have a purchase contract...but we have at least some items that we are agreeing upon with Kautex-Textron. They have been very good to work with, and we are taking a look to see if this will work out for both the city and the county. What you are looking at tonight is the application. Brownfields come in two phases. First of all, we need to apply for a grant so that a phase II environmental study can be done. This is the deep-dive environmental study. There is money available through the Clean Ohio Funds to do that. That is what you are approving here tonight. At the end of that, that will make a determination of whether this is indeed a property that can be mitigated. Therefore, we will then go in to apply for the Clean Ohio brownfield money based upon this Phase II, which would help us with not

only mitigation but also acquisition of the property. This is kind of the first step as we explore this.

Councilman Jaehnig: If I understand correctly, this protects us. If it turns out that this is a major hazardous spill area that is beyond mitigation, then we are not....

Mayor Raizk: Right. The property owners are being very generous and allowing us access so this study can be done. At that point in time, based upon the phase II, we will know whether it is a jumping off point or not. The reason why there are three readings and it needs to be an emergency is because these grant cycles are very tight. This whole project could take up to a year as far as these grant cycles go...not only the grant cycles, but also how long we have to do that...so we need to be on the timetable. We will get this one done, and then we will be able to make that determination sometime this fall.

Councilman McKay: Thank you, Mr. Mayor. Other questions?

Geoffrey Phillips: [Inaudible for transcription]

Mayor Raizk: I'm sorry?

Geoffrey Phillips: Do we have any financial commitment from the city in this early part of this process.

Mayor Raizk: Not at this early time, other than just working with our consultants to help us with the grant application.

Geoffrey Phillips: I want to raise the question about the pyramid ordinance that we normally pass. In anticipation of doing a bond that Councilman McKay spoke of, do we need to have the pyramid before you go through this.

Mayor Raizk: Geoffrey, not in this instance, because this is even prior to any kind of acquisition. In other words, if we don't get this grant, we can't do the Phase II. It is based upon that. At the next go round, we may need to do that. At the same time, it depends on what the mitigation is. Right now, we will not be putting any money up front.

Geoffrey Phillips: Thank you.

Councilman Wallace: Do we have a match on this grant?

Mayor Raizk: Not for the Phase II. For the next set there is.

Geoffrey Phillips: Which is the point, then, that the pyramid would need to be in place.

Mayor Raizk: That is right. But that is probably August or a little later.

A motion was made by McKay and seconded by Popp to give the first reading only on A Resolution Authorizing the City of Wilmington to File an Application to the State of Ohio to Participate in the Clean Ohio Assistance Fund 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. 2145 passed as read.

President Ertel: Is there anything else, Mark?

Councilman McKay: Just, this opportunity will not come around again and this will offer us so many synergy possibilities. I hope things will flow smoothly, so to speak. That is all I have.

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

Judiciary Committee: Chairwoman Leilani Popp: Yes, Mr. President. I have two items this evening. The first one is a first reading on an ordinance creating a Green Enterprise Zone in the City of Wilmington. Are there questions or comments?

Geoffrey Phillips: Councilwoman, at what point will there be a review of the impact in Section 4 of the financial forecast as to what these incentives [inaudible for transcription].

Mayor Raizk: That is what I was writing down. Exactly. Before we have our next reading, we will do that. I want to talk to you about that, Geoff.

Geoffrey Phillips: All right. I think, too, we probably need to anticipate that the finance committee ought to meet because we are probably at the apex of our income tax collections, and it is all downhill for a period of time. I just caution. When I read this language... First of all, I just got this yesterday. I think we need to understand what we mean by "income tax collected." Are you giving back the employee earnings tax or are you giving back "business income tax," because that language is very ambiguous.

Councilman Jaehnig: My understanding was it was just business income tax, not...

Phillips: But that is not what that says, so we need to get some of the language...

Councilwoman Popp: I think there are some other language issues in this. Between the first reading and second and third readings, we will clean this up.

Geoffrey Phillips. I realize it is just the first reading, but I think we need to understand the financial impact of the treasury and make sure we've got the language that does what you want it to do. Because right now, I don't know what I am calculating against.

Councilwoman Mongold: Also, there is a typo on the first page. It says "Term to" and it has a colon instead of a period. Then on the next page, section 2, Item (c), if you recall in our meeting the other night we discussed a possible annual stipend of \$1200, and this reads \$100 per meeting.

Councilman Jaehnig: Which is a difference.

Councilwoman Mongold: I think that needs to at least have the words added to it, "with a max of \$1200." What if they meet 2-3 times a month? We need to at least put some sort of cap on it, or change "meeting" to "month."

Councilman McKay: Or \$100 per month.

Mayor Raizk: Thank you for that. That was what we were talking about.

A motion was made by Popp and seconded by Wells to give the first reading only with the aforementioned adjustments for this reading and more to follow between the second and third reading on the ordinance Creating a Green Enterprise Zone.

Motion passed

Director of Law read ordinance by title only.

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

Councilwoman Popp: The second piece of legislation is the first reading on a resolution of support for an application to the U.S. Department of Commerce Economic Development Administration. You have the corrected resolution; it was at your place

this evening. This will be the second year of being a part of this. It is not the first year as it said in what was in your packet. This is the second year.

A motion was made by Popp and seconded by Peterson 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

Director of Law read resolution by title only.

Popp requested that the second and third reading be on the Agenda for the June 18 meeting.

Councilwoman Popp: That is all, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Councilman Jaehnig: I have just one item tonight, Mr. President. We have three readings on a dispatch agreement with the Sabina, Richland, Wayne, and Wilson Joint Fire District. We are running behind on that, so I am going to ask for three readings on this. This is a two-year agreement, which will take us through December 2010. This is a standing agreement that we have had in the past. There really are no changes; it is just a renewal allowing us to continue to provide these kind of services for them. Are there any questions in regards to that?

A motion was made by Jaehnig and seconded by Peterson to give the first reading only on A Resolution Authorizing the Mayor to Enter into a Dispatching Agreement with the SRWW Joint Fire District.

Motion passed

Director of Law read resolution by title only.

A motion was made by Jaehnig 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 Jaehnig 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. 2146 passed as read.

President Ertel: Anything else, Rob?

Councilman Jaehnig: No, that is it. Thank you very much.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Leilani Popp – No report, Mr. President.

President Ertel: Thank you. Parks & Recreation?

Parks and Recreation Committee - Convener Mike Wallace: I did speak with Chris Caulfield a couple of nights ago, just before the hail hit. He said that really we are pretty much on schedule for the summer games. Things seem to be going well, even though we have had a lot of rain, so that is a good thing. [Inaudible for transcription], so things seem to be going well. That is all I have.

President Ertel: Excellent. Thank you. Mr. Service Director? Do you have any words of wisdom.

Service Director- Service Director Larry Reinsmith: In a followup, Mike, there is a girls' fast-pitch tournament scheduled this weekend out there. There are 80 teams. Last year it was, I think, 68 teams...

Councilwoman Popp: 64.

Service Director Reinsmith: 64, and now it is 80.

Councilman Wallace: We had some fall-out [inaudible for transcription] over that tournament last year, didn't we?

Service Director Reinsmith: Just another item. We had bid out the vertical expansion project for the landfill. Our engineer's estimate was, I think, over \$700,000 for that work. We got a really good bid in; it came in at about \$537,000. Space is critical. Time is critical, but we need the money for the project now. I know we included that with your package, Geoffrey, but I hope we don't take too long because the contractors are ready to start and we don't get into the position where we are moving waste and having to remove it and re-locate it. I don't know if we go that route with a note or what, but we need to take a look at that. That's all.

President Ertel: Okay. Thank you. Safety Director?

Safety Director – Nick Babb: No report.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by Peterson to approve the Income Tax Report – May 2009 and the Hotel Lodging Tax Report – 1st Quarter 2009 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.

Councilman Jaehnig: Mr. President. I would like to say that there is a great opportunity to experience golf in an all new manner this weekend in downtown Wilmington with the Downtown Golf Around. Eighteen different businesses have putt-putt holes set up in their businesses, and you can putt your way around downtown this weekend. So, come out on Saturday; you don't want to miss this.

President Ertel: What time on Saturday?

Councilman Jaehnig: It starts out at 10:00 in the morning and finishes up in the mural parking lot at 4:30.

[General Banter Regarding Event]

Councilman Jaehnig: It is a great opportunity to really get to know downtown. There are a lot of businesses that a lot of people have not been in. It is a really fun way to experience it in an all new light.

[More General Banter Regarding Event]

Councilwoman Popp: Mr. President. There is one other item. I wanted to expound a little bit more on the girls' softball tournament. There will be 64 teams...we estimate that between 1700 and 2000 people that will be coming to town connected with this. I would like to thank Tammy McKay, who is helping me get packets together. We went to all of the businesses for the last softball tournament and this one, all of the eating establishments in town, making them aware of what is happening. We've received coupons from them as well as the putt-putt, bowling alley, and the theatre. We want these people to spend their money here, and we are providing them with all of the

information and opportunities to do that with. It should be very exciting. It will be a great skill of softball you will see out at the park. These are very top-notch teams. If you like softball and like a fast pace, come watch it. Hopefully, everyone is going to [inaudible for transcription].

Councilman McKay: It is supposed to be good weather too.

Councilwoman Popp: Yes it is.

Councilwoman Mongold: Is there another tournament the weekend of the Banana Split Festival? Somebody told me there is another tournament.

Councilwoman Popp: I am not aware of it.

President Ertel: There is as part of the Banana Split. It is like a mid-nine to eleven-year-old tournament from what I understand, but they will be using the fields as part of that.

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