

Wilmington City Council met on Thursday, July 16, 2009, with President Fred Ertel presiding.

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

Chief Hatten was also present.

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

Council gave the Pledge of Allegiance to the flag.

President Ertel: Thank you so much. I certainly would like to welcome all of you to the meeting tonight. We have quite a cast of characters sitting out there. Typically, we are used to probably three or four, but there is going to be some historic legislation tonight, so I am very pleased that everyone has come to celebrate with us on that.

A motion was made by McKay and seconded by Mongold to approve the minutes of the last regular meeting, July 2, as received. Motion passed.
Minutes approved as received.

President of Council – Fred Ertel: For information for all of you in the audience right now, our Law Director hopefully is in route. If not, you will all have to listen to me present the legislation, but I think we can work through it. That completes my portion of it. Mr. Mayor?

Mayor – Mayor Raizk: Thank you Mr. President. It is good to be back with you all again. I am sorry I was indisposed at our last couple of meetings. Hopefully, I am on the mend, and I appreciate everyone's well-wishing for my recovery. Not as much as my wife...who would like to make sure that I recover. I would just like to tell everybody "Thank you." I notice tonight we do have some scouts in the audience. What are we doing? If you guys would like to stand and introduce yourselves and tell us what troop you are with.

Conrad Merling: I'm Conrad Merling, I am with Troop 777. We are working on our Citizenship and Community Merit Badges.

Nathaniel Merling: I am Nathaniel Merling. I am in Troop 777 also. I am also working on my Citizenship and Community Badge.

Leland Merling: I am Leland Merling. I am doing the same thing.

Mayor Raizk: But, there is one more Merling here.

Doctor Merling: Yes. I'm the scoutmaster here. Three more Eagles.

Mayor Raizk: We would gladly like to see more Merlings get Eagles. That is certainly going to set a record in the County someday. Thank you, Doctor. Anyway, welcome. Since we do have some historic legislation on tonight, I don't think I have anything else. To recall, Sandy brought this out, and I did talk to John Nolan, and I know Mark and Taylor talked to John Nolan yesterday. There is a nice article in the Dayton Daily News today. If you have a chance to see it, it was a good article. Mr. President, I will turn it back to you.

President Ertel: Thank you, Mr. Mayor. I appreciate that. Also, for the scouts' benefit and anyone else in the audience, we go through this based on the Ohio Revised Code. If there are any questions on how we handle the meeting, just raise your hand and I will explain why we are doing what we are doing and so on. It goes pretty fast, too, actually. At this time, I would like to move into the Asset, Acquisition and Use Committee reports.

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

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: We have several items this evening. I believe they all require three readings. Since we do not have six council members, I believe we can only give them one.

President Ertel: That is correct.

Councilwoman Mongold: David, do you know if we will have to meet on an emergency basis?

Auditor David Hollingsworth: We probably will have to.

Councilwoman Mongold: I also have a question, and I am not sure if Andrea or who can answer. Let's get to the first item. It is an ordinance making miscellaneous transfers. It is from Parks Maintenance to Incidentals. On the report I was given, it said \$250.00 and on the ordinance in front of us, it is \$520.00. I just want to make sure.

Andrea Tacoronte: \$520.00 is the correct amount.

Councilwoman Mongold: I am wondering if the numbers were transposed.

Andrea Tacoronte: That is correct.

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

Motion passed

In the absence of the Director of Law, President of Council Fred Ertel read ordinance by title only.

Councilwoman Mongold: We will have to schedule a special meeting.

Councilwoman Mongold asked that the second and third readings be on the Agenda for the Special Council meeting.

Councilwoman Mongold: The next item tonight is an ordinance making supplemental appropriations. The first item, A, is for income tax refunds, which is self-explanatory. Items B and C are because we are currently self-insured in our insurance program. There could possibly be more money by the end of the year. Currently we are funding \$200,000.

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 of Council read ordinance by title only.

Councilwoman Mongold asked that the second and third readings be on the Agenda for the Special Council meeting.

Councilwoman Mongold: The third item tonight is an ordinance repealing Ordinance No. 4852. This is on our notes for the Lowes/Davids Drive. There was an error in the name of the bank in there, so we are repealing that ordinance and doing a new ordinance.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Repealing Ordinance No. 4852, and Declaring an Emergency.

Motion passed

President of Council read ordinance by title only.

Councilwoman Mongold requested that the second and third readings be on the Agenda for the Special Council meeting.

Councilwoman Mongold: The next item is an ordinance authorizing the issuance of the bond anticipation notes of the City of Wilmington in the principal amount of \$715,000.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Authorizing the Issuance of Bond Anticipation Notes of the City of Wilmington in the Principal Amount of \$715,000 for the Purpose of Discharging at Maturity (Together with Lawfully Available City Funds) Bond Anticipation Notes Issued Pursuant to Ordinance No. 4772, and Declaring an Emergency.

Motion passed

President of Council read ordinance by title only.

Councilwoman Mongold requested that the second and third readings be on the Agenda for the Special Council meeting.

Councilwoman Mongold: I believe Monday is July 20. There is a Finance Meeting scheduled at 12:00 noon.

President Ertel: Thank you so much, Sandy. Water Committee, please.

Water Committee – In the absence of Chairperson Mike Wallace, Councilman Jaehnig: Since he is not here...No report.

President Ertel: Thank you. Streets Committee?

Streets Committee – In the absence of Chairperson Peterson, Councilman Wells: No report, Mr. President.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President, I have nothing on the Agenda tonight, but I would like to thank Donnie Maher and the workers at the city landfill for the tour that the Solid Waste Committee had to view the vertical expansion construction. Leilani Popp, Rob Jaehnig and myself. I would like to thank them. I think we were very impressed with the work they are doing out there. We really enjoyed it. We would like to thank Donnie and the landfill workers.

Councilman Jaehnig: I tell you, there is nothing better than the top of a landfill being opened back up again and being real close to it.

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

President Ertel: Thank you. Wastewater/Sewer?

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

President Ertel: Thank you very much. Judiciary Committee?

Judiciary Committee: Chairwoman Leilani Popp: We have one item, Mr. President. Before we get to that item, though, we need to amend the legislation that is before us. If you notice where it refers to where meetings will be held for the GEZDC – that they can determine at the beginning of each calendar year where there meetings will take place instead of restricting them to the City Council chambers. They can still use City Council chambers, but they have an option.

A motion was made by Popp and seconded by Wells to amend the legislation.

Motion passed.

Legislation amended.

Councilwoman Popp: Mr. President, I am honored and happy to present this third reading for an ordinance creating a Green Enterprise Zone in the city of Wilmington as amended.

A motion was made by Popp and seconded by Jaehnig to give the third reading only on the Ordinance Creating a Green Enterprise Zone, As Amended.

Motion Passed.

President of Council read the Ordinance by title only.

A motion was made by Popp and seconded by McKay that the ordinance be passed as read.

Motion passed.

President of Council declared Ordinance No. 4854 passed as read.

[Applause]

President Ertel: Thank you so much. I know there has been tremendous hard work for a lot of people sitting in the audience on this. It was spearheaded by two young gentlemen sitting up front plus tons of work from Pure Blue and others. Laura, I know, was deeply involved in it, and of course Chris Schock. Certainly, it is just tremendous for our city. Hopefully, this is a template for other communities throughout the state and nation. This is very historic for us to have this here in the City of Wilmington. Thank you so much for all of your hard work. Okay...moving forward. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: No report, Mr. President.

President Ertel: Okay. Downtown Revitalization?

Downtown Revitalization Committee - Convener Leilani Popp – No report, Mr. President. I want to remind everyone of the Third Friday Concert – Blues and Barbecue – in the mural parking lot tomorrow evening. It should be a lovely, great evening.

President Ertel: Very good. Everyone is invited, I'm sure. Okay. Parks & Recreation?

Parks and Recreation Committee – In the absence of Convener Mike Wallace, Councilman Wells: No report, Mr. President.

President Ertel: Thank you. Service Director?

Service Director- Service Director Larry Reinsmith: One quick note here. Chris had sent out a memo a couple of weeks ago about some additional monies being available for public works. We went ahead and put a package together for the Nelson Road project and submitted that for some funding. We met with the county last week. There was a total of about \$400,000 that we were going to get for the county. There were several projects...a lot of needy townships and jurisdictions around the county that needed money. Our project scored well. They approved us to get a quarter of a million dollars toward that project. The score was real high, so I am sure it will be funded through Issue 1. Every little penny counts, and that will help a lot on that project. That roadway is just falling apart. Once we get the storm system in and all of the catch basins and gutters and curbs, it will be a lot safer roadway and a lot nicer road.

President Ertel: Paul, do you have a question?

Paul Hunter: Larry, will that save the sewer fund some money then, with an infusion of cash?

Larry Reinsmith: Yes. That is a direct impact of \$250,000.

Paul Hunter: Which we will not have to take out the sewer fund?

Larry Reinsmith: Correct.

President Ertel: Very good. Thanks, Larry. Safety Director?

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

Reports:

A motion was made by Wells and seconded by Mongold to approve the Auditor-Treasurer – June 2009, as received.

Motion passed.

Report accepted as received.

A motion was made by Jaehnig and seconded by Popp to approve the First Six Months' Interest Earned Statement, as received.

Motion passed.

Report 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.

Mayor Raizk: I just wanted to say one thing. I appreciate all of the other things, but I would be remiss if I did not mention another event going on this weekend. In fact, opening night is tonight of the production of Sunday in the Park with George. I happened to watch some of dress rehearsal last night. It is outstanding. Do not miss this. This is a visual masterpiece. It really is. It is on Thursday, Friday and Saturday of this weekend; and Thursday, Friday and Saturday of next weekend. So, there is plenty of time to take in the Blues and Barbecue and still find a night to go to the show. I don't get to toot my own horn this time. Sadly, I am not a part of it, but the first lady is, and she did outstanding. I get to toot her horn for a change.

President Ertel: Thank you. Mr. Mayor. Come right ahead please.

Lena Mae Gara: 21 Faculty Place in Wilmington. I want to congratulate council on this recent action and its obvious concern for environmental issues and finding a way to tie them with the need to find jobs. I think that was very creative and imaginative. I would just like to add two things. When we think about environmental issues in this county and this city, keep in mind that Lytle Creek has been tested with all of the streams in the county by persons who are qualified to do that and are members of Streamkeepers. Every stream in the county, except for Lytle Creek, was rated as good in water quality. Lytle Creek is poor, and at this point they are not quite sure what may be causing that. This is something to think about. The other thing I want to say is I hope that this will lead council to move toward a fully comprehensive curbside recycling program in Wilmington. What we have now is partial. It is a lot better than what we have had for many years, which was nothing. But, there are many things that would improve the system, and I hope we are still moving in that direction. Thank you.

President Ertel: 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 Wells to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk