

Wilmington City Council met on Thursday, October 1, 2009, 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: I'm so glad to see so many people here tonight. This is very good. We're glad to have you all here. If you have any questions about we do business, just raise your hand and we'll explain to you, because it does go fairly quickly and so on and so forth.

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

Motion passed.

Minutes approved as received.

President Ertel opened a public hearing on the City of Wilmington's Application to ODOT 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 Ohio Elderly and Disabled Transit Fare Assistance for Grants for Public Transit Assistance and the Elderly and Disabled Transit Fare Assistance Program.

President Ertel: Phil, would you like to speak to that?

Director of Transportation, Phil Floyd: Absolutely. Thank you Mr. President. My name is Phil Floyd. I am Director of Transportation for the City of Wilmington. This presentation is part of a requirement each year when we send our proposal for grant money to operate our transportation system. We submitted our 2010 grant proposal on August 31, 2009. The process was slightly different this year, requiring additional data, specifically regarding the vehicle maintenance category, which will allow for continuation of the vehicle maintenance funds portion of our budget to utilize from the AARA fund, meaning Wilmington's share for that portion of the overall operating budget will be 10% instead of the typical 20%. That portion is \$171,187 as presented on the proposal. Within the 2010 grant proposal, we are requesting operating funds plus capital funds to replace one LTN, which is a light transit vehicle, narrow body, which is a wheelchair-accessible van. We are required by the Federal Transit Administration to have half of our fleet wheelchair-accessible. Presently, we have a fleet of 17 vehicles. Eight of them are the larger LTN vans, with electric wheelchair lifts. One of the 17 is considered a backup. For 2010, we are requesting funds to purchase a smaller, modified minivan with the wheelchair ramp versus the electric lift. The smaller vehicle will provide the same accessibility, but will do much better on gas mileage. We will be responsible for only 10% of the purchase price, which will amount to \$3,524. The total operating budget submitted to the state is slightly lower than last years'. The total grant request for 2009 was \$1,441,124. The new proposed budget submitted to the state is \$1,400,548, given the ridership numbers that we provided, which is projected to up to 140,000 by the end of this year. That is up about 8% from 2008. Projected numbers also for 2010, we are hopeful that we will receive the amount that we are requesting, which for federal assistance is \$657,380, leaving a local share of only \$253,247 for operating. Again, capital expenditures for the city should only be \$3,524 toward the replacement of the one vehicle. This year, 2009, we requested and received \$605,562, so, you see, we are up about \$55,000 that we are requesting from this year's fund. We have already received notice of approval for us to receive an Elderly and Disabled Program Fund, \$61,895, which is up from last year – up \$53,468. That figure is based on ridership of elderly and disabled, which was up and that is why the increased funds. State funds,

which are the third part of the grant monies we receive or ask to receive. This year this was \$153,847, but we are told by the Department of Transportation that it will likely be less this year. We have been informed of that probability but have not received confirmation. We are estimated, based on ODOT's grant application formula, that we should receive about \$141,535. Federal allocations will be determined sometime in mid-November after the grant proposal receives its final review. Data from 2008 and through the third quarter of this year will be analyzed to make the final determination of allocation of funds, which is primarily based on performance, and our performance indicators continue to exceed the national averages, so we are optimistic that we will receive the funds that we are requesting. To capsize, the total budget proposed to the state is \$1,458,000. If we calculate the revenue, which includes farebox (the amounts we charge individuals for riding), contract fees, requested federal transit funds, state funds, and the E&D funds, that leaves the amount, including the capital funds, \$266,771. Are there any questions? Thank you very much.

President Ertel closed the public hearing.

President Ertel: Thank you very much. We appreciate it. At this point in time, I would like to have a presentation by Tim Harrison regarding the exotic animals proposed ordinance changes for Wilmington. Question before you start. How many people here are interested in the exotic animals? I assume a few of you would probably like to speak. Does that sound about right? What we can do after Tim has his presentation, each one of you will be allowed five minutes to present. Please, do not go over what someone else has already presented, please. Come to the microphone and state your name and address for the record because everything that goes on here is recorded and then included in written form as part of state law.

Tim Harrison: Ladies and gentlemen, I was invited to come to the City of Wilmington because we are going to show you here...I have helped with the City of Cleveland and the City of Dayton to help clean up and get some exotic animal laws passed. I am considered an expert in catching exotic animals across the United States of America. My name is Tim Harrison. I am a police officer, firefighter and paramedic for the City of Oakwood. I work for Homeland Security, which I am an instructor out at Disaster City at Texas A&M, and we also started up within this last few months how to get the exotic animals out of locations. Just like you saw in the fire in California, we had to move a bunch of chimpanzees, 175 chimpanzees from [inaudible for transcription] facility to the Los Angeles Zoo. It is a very, very tumultuous thing to try to move exotic animals, especially in a disaster situation, like a hurricane and tornado. In Galveston, when they had Hurricane Ike last year, we had an African lion that was actually stuck in a church. It kept everyone out of the church where they were supposed to be safe. We also had two tigers running free, along with some pythons and also some venomous snakes. So we had Texas Task Force One, which is who I work with out there, and they are behind us 100% of what I do. The FOP (Fraternal Order of Police) was behind me, since they don't want to go in. They are the ones who get called in all of the time to take care of these animals. As you remember at the San Francisco Zoo, it wasn't the zoo people, it was the police who had to come in and take care of that. Also, the International Firefighter Federation is backing us, as well as Homeland Security. They want to keep these exotic animals out of people's homes. The bigger ones, the dangerous ones, the ones that could cause some problems or give police officers and firefighters a problem. That is basically what I am here for. I am here to protect children, I'm here to protect the public safety officers, public safety, and the animals themselves. I am handing you this handout real quick before I showed the presentation. On the front, I was Environmental Educator of the year – and that is all by college professors and schoolteachers in the State of Ohio, and that was from the educational programs I do. I go out and try to teach to leave these things in the wild, or if you are going to have them, take good care of them and get some information. Among people that are here, I appreciate the Cincinnati Herpetological Society because they do educate people about snakes. I will say that up front. They are passionate about what they do, and I do appreciate them. As you pass through there, you will see this is stuff that has happened within in the last five years that you are seeing here. The six tigers you will see for sale at a Wal-Mart parking lot in Texas – I was there. A woman was selling three white tigers and three orange tigers in a van to some Mexican nationals. They were going to take them across the border. That was stopped.

As you can see, one of the most aggressive deaths we have had in the area was Ted Dres, who happened to be a friend of mine. He was from the Bass Pro Shops – he sponsored me. I told him to never handle his python by himself. He was constricted to death in Cincinnati. It was a sad situation. The Virginia Beach woman was a really sad one too. If you look through these yourselves [inaudible for transcription] and the Trading Post classified ads. We don't put that up there. We put this there for you. As you can see in your own Trading Post classified ads right here, Middletown/Cincinnati/Dayton area, you can get yourselves water buffalos, Egyptian cobras, rhinoceros vipers (the same that killed the Dayton fireman that I had to go in and risk my life to get that snake out, and you are going to see one of me risking my life here in the minute to get one four and six year old boys found in the garage, a Gaboon viper), eastern diamondbacks, lots of monkeys, lots of Gaboon vipers. In fact, the gentleman here from Middletown that sold these Gaboon vipers for \$75 said he sold 45 in the area. It is kind of scary. We did get one out, so I don't know. Being a police officer/firefighter, when you have a house on fire, you don't want to race into a bunch of venomous snakes. We actually burned a house down in Dayton, Ohio, because it had venomous snakes in it. They wouldn't go in. I don't blame firefighters for doing it. Everybody can talk about training them...we can't even get training right now, trust me, on EMT stuff. We can't get enough financing, as you guys know, to even send us off to be trained half of the time, let alone have someone come in and teach us how to catch a cougar, like I caught in downtown Dayton. We'll talk about that in a minute. Let's get going here so we don't get over our 15 minute period here.

Tim Harrison: The organization we started was Outreach for Animals. We started this organization because it had to be started, because there was nothing out there telling people to just leave them alone – just leave them in the wild. So, we had to start this organization. First of all, there was the City of Cleveland. I was asked to come up there because they had two years of a battle in trying to get some laws passed. They had a gentleman with tons of cobras in his apartment in downtown Cleveland. The reason he was telling people was that he was raising these cobras so he could do venom research. Well, my brother is a venom researcher, and there are only four of them that I know of, and he definitely was not one. He was selling them on the internet, which you guys get on kingsnake.com and you can order yourself a venomous snake. It will come down to Delta or it will come right to your house within 24 hours. We demonstrate that on the new movie that I have out called the *Elephant in the Living Room*. It shows you how quickly these snakes will come to your residence. Also, in Dayton, Ohio, I had to be brought in because we did lose Michael Peterman, a firefighter, who was bitten by a rhino viper like what you saw in the Trading Post classified ad. He was bitten by one and was killed in his own home. I had to go in and get that snake out.

Tim Harrison: This is the typical python call that I am called out with, and this is my self walking up. If you watch National Geographic, Animal Planet or *Inside Edition*, you will see me every once in a while. You will see you come up. This is a restaurant in downtown Dayton. This is about a 14-15 foot Burmese python. Nobody was going in to eat that day, and there is the manager. She couldn't understand why nobody was going in to eat that day. We have never had one person raise their arm and say, "Can I have that python back?" "Can I have my cougar back?" Nobody ever. That is what the scary part about this is. Most of these animals, the Humane Society [inaudible for translation] stated that we have to put these down by the hundreds each year because nobody is taking them in. There is not enough room in the inn for them. That is a pretty good-sized snake.

The next one we are going to go here to. This is a Burmese python. The reason I was called in, because we do have people in the area who do have these snakes. This is a pretty well-known picture. This is a Burmese python. Look at the teeth on him right here. He bites that electric fence. This shows you the teeth, because you usually don't get to see these teeth. People will tell you they don't have fang-like teeth. Well, just ask the woman in Virginia Beach. She was constricted to death by one of these snakes. Once they grab you with teeth this size, in these two rows in here, it is very hard to get away from one of these animals once they get a hold of you. If you don't have experience like my colleagues here, you aren't going to get away. That is what happened to Ted Dres as two police officers tried to pull the snake off of him. I was in Aurora, Colorado, where a

young man was being killed. We have that 9-1-1 call. His girlfriend said, “Blood is coming out of his mouth and I can’t do anything.” Two officers on National Geographic with me, they tried to taze it. They tried to taze the one, as you guys know, in Batavia. They tried to taze it and it didn’t work. You know, you can stab them sometimes and they constrict more. Now, I am not a snake expert, but I am an expert at catching these things. As you will know if you get both of my books. I am an author of two books. The last one was up for Book of the Year by Forward Magazine in New York City.

Tim Harrison: This is what we have to prevent children from being around. This is just a bunch of deaths. “Death by Python Puts Father on Trial.” Eight-year-old. We helped them with this manslaughter charge in Pittsburgh. Because it is a deadly animal loose in your house. You can lay a gun down and it is the same principle to me. If you lay a gun down and leave it in your house, you know that is a bad thing. You shouldn’t leave it around an 8-year-old. This is bad. This is where we are having a problem with some people out there. They are not paying attention and they are not cleaning up their act. We got this out of Columbus. This is from the Humane Society. “Missing Dog Turns up in Snake’s Belly.” We get quite a few of those calls every once in a while, where they are sunning their snake. We had that here about 5-6 years ago right here in Wilmington when I got that huge boa constrictor back there, about a 7-footer, behind the apartment building back there. Ask your law enforcement. That was a good-sized boa constrictor.

Tim Harrison: Now this is a Gaboon viper. You see the fangs on this snake here. That is myself in my police outfit. This rescue here happened because a four and six year old boys – if you want the footage, it is on a show called *Snake Bite* on the National Geographic Channel. We can send you the actual footage. We found this snake in a garage on the east side of Dayton, Ohio. They put it around their neck. They walked around with it. Nobody knew. They thought it was like a python. It is a really pretty snake. They are very beautiful snakes. He was walking around with it. A neighbor person saw this snake and thought it was a baby python, too. He was supposed to be a naturalist, which scared me even more. That tell you...we caught a forest cobra out in the yard—myself and the Dayton Fire Department – a guy was mowing the grass and this guy’s forest cobra got loose. We took it and stuck it in an aquarium next to a black racer. We had just regular people walk in and asked “Which one is the cobra?” Unless it puffs up or does something, you don’t know the difference. The cobra doesn’t bite you when it is puffed up. That is not how they hunt. They don’t puff up and go “Hssss, I’m going to the woods now looking for a rat. Here I am.” They usually puff up to tell you to back off and leave them alone. I have had a live cobra, as you will see here in minute. This is a Gaboon’s fangs here. This is the actual snake we got. They have the world’s longest fangs. Now, I don’t know about you guys, but I don’t want four and six-year-old boys finding this in a garage. As you can see, they are for sale right now. You can get them off of the internet. There are people who know what they are doing with these animals, but they aren’t the ones I’m worried about. It is the people who don’t – who watch these national TV shows. I have been doing this for 34 years. I worked for a veterinarian, Dr. Thomas Berg, who was a veterinarian that worked with zoos. I was sixteen. He took us out on 4-5 calls a year – maybe a bear or a python. When reality TV started up, everybody wanted an alligator. Everybody wanted a snake. Everybody did, just because they are imitating what they see on TV.

Tim Harrison: Now, here is one of our cobra calls. This is my brother Jim. He is the biggest proponent against me, because he likes to sell cobras to people – my brother does. I don’t like to sell cobras to people, because we have to go do this. I want to watch what you are seeing here, because these police officers...this woman stepped out of her van and onto to a cobra in her garage on [inaudible for transcription] Drive in Dayton, Ohio. She screamed, ran into the house and told her husband there is a cobra in the garage. He grabs the stick and goes up and thinks it is going to be a black rat snake. He pokes it, and it is a cobra. Here comes the scary part. Look. Still. They are trying to keep it in the garage. You can ask my brother. It took them three hours. They called the zoo. They called the “experts.” Nobody showed up. They finally got in contact with my brother and I. This is what these officers had to do. This is a deadly animal. No matter what anybody tells you, it is neurotoxic. There aren’t many doctors around here that might even know what to do, maybe two in the Dayton area. There is only one in Cincinnati, Dr. Otten, that can actually help you. What happens if he is on vacation? My

brother is the only one who has.... Look at the crowd that gets around. That is my brother, who is the number one venom researcher in the United States of America. He is one of the top guys with reptiles. He has the Kentucky Reptile Venom Lab. He will tell you, I have brought many venomous snakes down to him to catch. Many. This is an Indian cobra. People were finding their dogs and cats dead around that neighborhood. My brother will verify that. Weeks before that. Luckily, a child didn't get bit – one of these days. These animals don't want to bite you, but if you stumble upon it... What have they trained you on TV? Every child will pick a snake up by its tail now, because that is what they have been taught by Steve Irwin and the rest of the TV shows. I want you to take a look at this poor cop's face. Three hours these cops had to keep this snake in there, until my brother and I were contacted. That is a happy cop. That is what I look at. I have never met you guys before. I would love you to have come out and help me. Man, I get tons of calls, but nobody shows up, except me.

Tim Harrison: Now, we are going to talk about the rhino viper that killed Michael Peterman. There is Tim Harrison's name again. Tim Harrison's name is down here, where I worked down in Cincinnati with Alexandria Hall. These two deaths here shook me up. Michael Peterman I knew very well. He was a Dayton fireman, and he helped me with python calls. He was at Station 1 and Station 15. He was bitten by his own rhino viper in his house. I didn't know he had a venomous snake. He had a bunch of venomous snakes. When I went to get that snake, it was still loose. He just had a bad experience. We can't go into exactly what killed him, but he ended up having a very bad experience and he died. The sad part about that is, Alexandria Hall, right over here, got an urutu. When I do critical care thinking seminars for emergency room doctors at Wright State University (I just did two this year), I ask them, "Docs, you guys know what an urutu is, right?" What happened to the doctor who took care of her? You guys remember, right? They sent her home, didn't they? They sent her home and she bled out internally on her bed and she was found dead the next day by her daughter. So, let's understand, it is not the doctor's fault. They don't have to know this stuff, right. They have enough to worry about. Except this. They don't keep antivenin in the hospitals. They may keep some Crofab, which is synthetic, but they don't keep antivenin, because that is an experimental drug. You have to order it from my brother's zoo or get the University of Cincinnati to send it up to you. We know this for a fact because I do it. The sad part about it is, we don't need these deaths. We don't need any of this. She ordered the snake, too. She had it sent to her house.

Tim Harrison: This is where I get the big cats. The snakes are scary. But, I'm not as scared of the snakes as I am with the big cats. The big cats are out of control. I knew you had a lion problem here. I hate to say "lion problem" in Wilmington. It is kind of weird, no? It should be Africa that you have a lion problem, not Wilmington, Ohio. You are going to see when the movie comes out that we have lots of African lions, lots of tigers and lots of big cats in the Ohio area. This guy right here is an 80-pound cougar that is running loose in downtown Dayton, Ohio. It is funny. If you every watch shows like *Monster Quest*, they always show these women who take a picture or something in their backyard and they say it is a cougar and everybody says it baloney. Right? This happened, except, the Dayton police and the Dayton firefighters say, "No, this is real, because Tim has been taking tigers off of the street." "This may be real." Leopards off of the street. You saw one of the leopards that officers had to shoot in [inaudible for transcription] right here. I ended up getting over there, and the cougar took off after one of the Dayton officers. This was three weeks later. This cougar came out of nowhere and started attacking people. It was scared. So, I ended up having to catch it with a dog snare (it's not drugged), grab it by its tail, and drag it out. It was a very dangerous situation. I had one of the Dayton officers hook the back foot, as we will see with this next picture, with another dog snare, because he was trying to tear my hand off with his back feet. As you can see, that cougar peed all over me, and I felt like doing the exact same thing.

Tim Harrison: That is why I am here. That is why I write the books. That is why I am here. I don't want to see another child....I don't want to see another adult....I don't want to see another animal put down. I don't want to see another python frozen to death or put down [inaudible for transcription]. I want to make sure that these animals are taken care of by people who know what they are doing. I don't want to see them in the city limits – anywhere. Take it from a guy who trains disasters. In fact, I am in the process now with

my partner, we are going to train with the Humane Society on the 13th, 14th, and 15th to be special investigators for the National Humane Society. We are going to start up a rescue team that is going to go in when we have a national disaster to take these animals out, because they consider me a national expert on how to remove these animals. I would love to get you information because you guys can help us with this. Because, when we do have a tornado, we are going to come to you guys. We will need your assistance. The big cats – eight to nine a year I get in just the tri-state area. I have a leopard in Los Angeles that I'm trying to get out now. I have chimpanzees, which we will talk about in a minute. Lots of chimpanzees. This is what I do. This is *Inside Edition*. You told me there is no problem in Ohio? This little boy here. We will talk about this here. We pulled two stories out about big cats just that year – just that year, guys. This guy got his arm ripped off by a neighbor's tiger. He went over to pet the neighbor's tiger through the fence, just like here in Wilmington with the lion, he reached over and had his arm ripped off. He got his arm put back on. The sad thing about this is we had 300 stories that year of big cat injuries. We picked these two for *Inside Edition*. See where he got his arm put back on? The next one is even scarier. This little girl was killed by her stepfather's tiger. She was brought over to see her stepfather's tiger. The tiger jumped over the stepfather, landed on her, broke her neck. It didn't mean too. It is just a big animal. It just jumped on top of her.

Tim Harrison: This is *Inside Edition*. We are going into an exotic animal auction in Mount Hope, Ohio. Ohio is second only to Texas in the sale of dangerous exotic animals. It is a \$13.5 billion a year industry. Check the New York Times. Here you go, ladies and gentlemen. Everything from cougars to foxes to snakes. You will see snakes here in a minute. Black panthers. You will see them again here in a minute. We actually closed the zoo down. There are huge snake. Venomous snakes. Anything you want. Kangaroos, three-toed sloths, hyenas, monkeys, anything you want is sold up there. I want you to look at the crowd. There are cougar cubs. And you keep saying there are no cougars loose in the area? Ladies and gentlemen, there are hundreds of them sold up here. Where are they going? Hundreds. I will show you the Animals Finders Guide. This is one of the black leopards I took off of the streets of Dayton. That is what that little leopard is going to look like when she grows up. There she is, smelling them, and she is from a zoo. They are zoo babies. You are going to see a zoo that got closed here in a minute. It is called the Riverdale Zoological Park. The sad part about it is this cop here in Oakwood has to do this because the organizations are not doing it. They are not policing themselves. So, I come into this place to find out what is going on. I bring *Inside Edition* in. As fast as they could bring these animals out, as you can see the massive crowd up there, they are auctioned off so fast that it spins your head. It just spins you head. Especially the primates. That is the zoo we closed. As you can see, on our papers it says "Dangerous." Don't have these animals. Danger." They sell them to whoever wants to buy them, and that is why they were closed down.

Tim Harrison: Now, I am going to show you this picture real quick. This is Mo the Chimp that I helped out with in Los Angeles. I want you to see the teeth. Okay, we are saying this because people say, "It's Ohio. We don't have chimps." Well, we have five in the area. The biggest one being the guy you got your picture with right there in Centerville, riding the motorcycle. That's Clyde. When they went in to get his owner out of the house, they had to call me to come and get Clyde out of the way, because Clyde is going crazy because his owner is sick; he had a stroke. Clyde is bigger than this guy, as you can see on the motorcycle. He is bigger than this guy. This guy here is one of the guys who helped tear off his owner's face. Do you remember St. James Davis who got his face ripped off, his testicles, his calves, everything was ripped off by those chimps out in California. You can tell by his teeth that he can do some damage. Primates are extremely dangerous. This is the typical 9-1-1 call for me.

[Playing of 9-1-1 tape regarding chimp of attack]

Tim Harrison (over recording of 9-1-1 tape): Did you hear that? She's dead. She has no face. She has no fingers. The same as St. James Davis. There is no face, there are no fingers, no testicles, no penis, no nothing. There is nothing. There are three other incidences like this in North America. Guess who gets to go on these calls, ladies and gentlemen. It's not the [inaudible for transcription], it's not the Big Cat Association, it's

not the Primate Association. It's the po-po. It's the fire department. You are going to hear that the fire department pulls up and they have to sit on the engine with the paramedics and watch her get eaten, because they can't get out. Listen to her. They can't get out with the medic, because this chimp is going to kill them. They have to wait until the po-po pulls up, the police pulls up, and this chimp rips the car door open, (because I know the guy, we interviewed him), he takes the gun and shoots it as it rips the car door open. This is what we are up against. I say, there are five chimps in this area, and there are lots of primates, which we are very surprised about. There are lots and lots of primates. They are just as bad, baboons and things of that nature. Wait until you see the movie comes out, *The Elephant in the Living Room*, it will show you people selling baboons up here faster. They have huge canines – bigger than a leopard. I'm going to turn this off here. It makes me disgusted. It goes on for quite a while. We're still waiting for the cop to show up.

[Turns off 9-1-1 recording]

Tim Harrison: Now, if we knew you guys were going to be here, we would brought the 9-1-1 call for Ted Dres and the 9-1-1 call from the lady Virginia Beach, because you ain't heard anybody screaming like you heard the girl out in Colorado, "My boyfriend. There's blood coming out of his mouth. He's being constricted by his boa." She was wrong – it was a python – but he was being constricted. You should hear those law officers. We will get that information and we will actually get you the tape, and you will listen to those cops, "I can't get the damn thing off. I can't get it off." These cops live in this horror for the rest of their lives watching somebody die in front of them from an exotic snake or a chimp or a tiger biting some little boy's arm off. We don't need this. I am very passionate about it because my brother and sister police officers and firefighters are the ones that have to do this. Now that I work for Homeland Security, go on a hurricane sometime and see these things just running wild. You have heard about it with Hurricane Ike and you heard about it with Katrina. They were running wild. I mean all of the animals were running wild. There was a polar bear running from the zoo, if you remember. We have to be very careful about what we do. The zoos are having a hard enough time keeping them in their cages, as we learned in San Francisco when the tiger got out and killed that kid. We have to be very careful what we bring in our neighborhoods. Do you have the weapons here to take care of a chimpanzee? Do you have the weapons here to take care of a tiger? I don't think you do. How many dart rifles do you have? When you dart one these animals, it could take up to 12-15 minutes for it to take effect. Now you have a drug-crazy animal. I darted an African lion in Moraine one time. It was laying the grass. I thought it was asleep. I went up with my dog snare. Right when I got close to him, some leaves blew by his face. You have to remember, these are the same drugs that the drug dealers use on the street that magnify colors and stuff. Leaves blew by that thing's face and it went totally ballistic and tore into a metal trash can right next to us. I think my brother may have been with me at that time. It just ripped that trashcan to pieces. Of course, I ran, which you are not supposed to do with a predator, but I still ran.

Tim Harrison: The thing is, ladies and gentlemen, just because you have seen Animal Planet and National Geographic, that is not how they act. These animals have natural instincts that you never know what is going to happen. For me, the best policy to have is to not have them in the city limits. That is the best policy. If some of these experts out here want to have these items. If they want a permit system outside the city, that is fine. We just ran a guy out of New Carlisle that was walking a cougar downtown. They lose context of reality. If you don't have something, they lose context of reality. They start walking the street. Just like down in the Oregon district, a guy with a boa constrictor around his neck, and a little boy went up to pet the snake and got bit on the hand – savagely bit on the hand – and had to go to the emergency room with Dr. Roger Pacholka, who works six months in Africa and six months here. He doesn't see deadly snake bites in Africa. He sees deadly snakebites in Ohio as an emergency room doctor. That's sad. He sits there and tells me, anytime someone is walking down the street with a large predator, it could be on a leash or it could be around his neck, there is something wrong here, ladies and gentlemen. Just think of the legality if you don't do something. Now that you have been told. You may have other groups get up and tell you that there is nothing wrong with a python. You may have someone say chimpanzees are

wonderful. Just listen to this woman – it is the same voice as the woman in Aurora, Colorado, with her boyfriend being constricted to death – the same voice as the person who was screaming as her son got his arm ripped off. It is the same voice. It is the same shrieking, “Kill it! Kill it! Kill it!” And they loved those animals just yesterday. “It’s turned on me.” These animals do not turn on you. These animals just go natural. Tigers don’t turn. They are tigers. They go instinct. That is it.

Tim Harrison: One last thing. I will let you go here and my colleagues can come up and speak. I want you to remember one thing. They always use the term, more people die from beestings a year. More people die from dogs a year. I want you to try to remember the last person who died from a dog attack in our area. I don’t remember, and I’m a policeman/paramedic. The last one I remember of anybody dying from a dog attack in the Dayton area was the doctor back in 1979 when two pit bulls yanked him off of a car. I know that because I was a paramedic, and they ripped him to shreds. Now start thinking about how many people died in our area from pythons. How many people have died in this area – we lost a little boy from a wolf in Hamilton County years ago. Start thinking for a second...wait a minute...how many people have to die before we can say, “Hmmm, we might want to do something differently.” We might want to just protect people or at least educate the people, because right now, if you are watching the TV shows, they are not educating you. This group educates. The TV shows are not educating. They know exactly what they are doing. They are not the ones I’m worried about. This one right here. That is what I am worried about. Why does this lady have a 200-pound chimpanzee in her house and the city allowed her to drive it around town in a convertible. Do we have any common sense left. We watch too much Animal Planet, don’t we? They are just toys. “They won’t do nothing. Come on...that’s just Bobby and his python.” Right? “That’s just Eddy and his rattlesnake.” “That’s just Debbie and her chimp.” Then, we have these disastrous situations happen.

Tim Harrison: So, if you need anything, I left you my brochures up here also here. Like I said, I am not an animal expert, but I am an expert in catching these things. Hopefully, if the law is passed, we can work on it and we can make sure that we get something safe for your community. I was born here. Both of my books were published here. This is my area, and I appreciate you inviting me, Laura, because I do love this area. Thank you very much. If you have any questions, I would be more than happy to answer them for you.

[Applause]

President Ertel: Thank you so much. Okay, is there anyone wishing to address this topic? Certainly. Come to the podium and state your name and address for the record, and you have five minutes.

Matthew Filey: Thank you, sir. My name is Matthew Filey. I am a resident of Amelia, Ohio. My address is 33 Eastridge in Amelia. I am very familiar with Wilmington. My sister just graduated from Wilmington College. I, myself, and a lot of the people that I have brought with me are members of the Greater Cincinnati Herpetological Society. We have been around for over 30 years. We are one of the largest and most respected Herp Societies in the United States. Our members consist of Tim’s brother, Jim Harrison, who is a zookeeper. We also have zookeepers from the Cincinnati Zoo as well as academics as well as the private keepers. Basically, the reason that we’re here is because we want to make sure that there is no legislation that is passed out of people just having misinformation or no information. As a society, one of our primary goals is to educate. My vice-president would like to speak in more regard to the actual law. In short, as a society, we oppose the banning of monitor lizards and tegus, the banning of boas and other constrictors. As for the venomous reptiles, our membership is split, so we are stepping aside on that issue. I do want to take the rest of my time and kind of just point out a couple of things about Tim’s program. Just a couple of ways to fill in. On kingsnake.com, yes, you can buy venomous reptiles. You can buy all reptiles, from little lizards to big lizards. Venomous reptiles cannot be shipped to your house. That is completely illegal and has not basically happened. You have to go through a Delta-verified shipper. It would be shipped to the airport and then you would have to pay a box crate charge as well as going to pickup via cargo. I know Tim had pointed out, and he is

an expert at catching animals. What we are trying to say is, here we are, let us give you information about the animals. Monitor lizards do not pose a threat, with a notable exception of the Komodo dragon, which, to the best of my knowledge, no one outside of a zoological facility will ever or has ever owned. All of the other monitor lizards really pose no serious harm risk to your emergency response personnel or the keepers or the general public, no more so than a housecat would. Now, one of the other things that I do want to take and bring up, if you are going to make this kind of law is you had the permit system in place. You just lost DHL and all of that, why go from something that – a permit that I'm not completely familiar but I would assume that there would be some cost to a permit system. That is, regardless of how little, going to bring in some revenue to cover the patrol or enforcement of that permit system. If you remove the permit system and go to an all-out ban, you are automatically saying, one, the permit system is no longer good enough, which people which actually go and got the permit show that they are responsible. If they are responsible enough to go get a permit and keep these animals legally, they are responsible enough to keep them (I don't want to use the word over again, but) responsibly – in secured, locked cages. These animals are meant to be in cages if they are not in the wild. I will say, I was filming with Animal Planet in the first week of June. They came to my house to film a couple of episodes and they used my monitor lizards and that, and you will see that program coming out early next year. They came to us as for our expertise and because we had the animals and had the knowledge to work with them safely for their program. One of the other things that he had mentioned is the Alexandria Hall case, with the urutu bite. We actually, as a society, got the phone call for that bite. The only reason I was not the person to go to that event was because I happened to be in Maine. But, as it is now, anything around Cincinnati, all 9-1-1 has my cell phone number. The Cincinnati zoo, if they have a problem, calls me. All of the Humane Societies call me. Everyone has my cell phone number, which is on me all of the time. He talks about how he gets all of these calls. Other than the Alexandria Hall case, we have not had an emergency call. Thank you.

President Ertel: Very good. Thank you. Anyone else?

Chris Bower: My name is Chris Bower. I am the vice-president of the Greater Cincinnati Herpetological Society. I live at 33 Eastridge Dr. also in Amelia, Ohio. Just a little bit from my background so you can see where I am coming from with this. I have also been the Education Co-Chair and the Hospitality Co-Chair and the Rescue Chair for the Greater Cincinnati Herpetological Society at various points. I have gotten rescue calls for large constrictors, venomous snakes and crocodylians that I have taken out of homes before. I also served as a manager of a Reptile Park in Swaziland Southern Africa for a while where I served both removing problem animals as well as providing consultants for cases where there were bites. I also do educational programs for the Cincinnati Museum Center and have worked at the Kentucky Reptile Zoo for Jim Harrison. The things that I mostly wanted to say specifically have to do with what are listed as the family Boidae, which are all the boas and pythons, as a ban for snakes. It says here on what I have no more than "three." Tim says that that has been amended to "nine." Is that correct?

Tim Harrison: Length-wise we were talking about maybe a little bit bigger.

Chris Bower: It says "three" here. You said "nine" or something to that effect, but larger than that, at any rate. Specifically, I just spoke to Jim Harrison, who is one of the foremost reptile experts in the country, if not the world, and specifically asked him what he thought these laws. He did say that there were some species he did see there being possible restrictions on, specifically what he said were the only five species of constrictor that have ever been known to kill a person and venomous species. However, there are dozens of species that fall under both Boidae that get over 3 feet or even over 9 feet that have never been responsible for a human death. When I spoke about this earlier, I would have said, Well, we don't know of that, but we can say that of basically every animal event, place or anything that has ever happened in the history of the world. We can say, "Well, we don't know if it has caused a death." There have been no reported deaths from all but five species of constricting snakes. Those species are the green anaconda, the reticulated python, the Indian python and its subspecies, the African rock python and its subspecies, and the scrub python. Those are the only constricting

snakes which have been known to cause human fatalities, but this does eliminate a number of Colubrid such as Eastern and Texas indigo snakes and cribos in the species that get over 8 feet. In the Boidae species, it eliminates dozens of species in the genus Morelia, which are carpet pythons, Boelen pythons, Papuan and olive pythons. It also eliminates one of the most common pet snakes, the boa constrictor, which has never been implicated in a human fatality in any known history. It also eliminates several medium-sized species of boidae like Dumeril boas and Madagascar ground boas, which aren't as big of an issue as the boa constrictor because they are not as common, but they still would be banned under the law, with no danger whatsoever being posed by them. One of our other issues that we did want to discuss...those that you know what they are doing are not the problem, which we would agree with. We would agree specifically that there are cases in which you could see a permit system put together for large constricting snakes and venomous snakes, sort of similar to what has recently been enacted by a number of municipalities and snakes. I'm sorry if I'm too loud.

President Ertel: No, you are doing fine.

Chris Bower: It seemed like you were rubbing your ears. Although we would not be entirely opposed to a permit in place for those species which are known to be dangerous, which are, again, those five constricting snake species I mentioned and any subspecies would be covered by that. For example, the Burmese python, which we saw a number of photos from, is a subspecies of the Indian python, which I mentioned. A permit system in place for those possibly within the city limits wouldn't be something we would be opposed to, and it has been enacted in a number of municipalities recently. It has even been enacted very recently – the state of Florida has always had a venomous snake ordinance (well not always) but for a while it has had a venomous snake ordinance and with the issues with the Burmese pythons specifically and Nile monitors recently, they have added several other species to that as a way to try and solve

TRANSCRIPTION INTERRUPTED. END OF TAPE.

Chris Bower (cont.): ...could keep these animals responsibly and could say that they had these animals. Those would also be the people who would often be called upon, as I have been called upon and as others in the society and as Tim has been called upon many times, to remove these animals from people's premises.

Cindy Peterson: I have a question. I notice that your are [inaudible for transcription].

Chris Bower: Yes.

Cindy Peterson: Do you live in the city limits?

Chris Bower: Pardon?

Mathew Filey: Yes, we do.

Cindy Peterson: You live in the city limits?

Mathew Filey: May I speak on that? We actually had to get permission for Oxford Scientific Films to come in. They discussed it with Amelia City Police. Amelia City Police actually were the people who showed up for the filming at my house. They are very aware. We have offered to train their personnel more so than they are. They already have my cell phone number. They have not made it aware to me that they are the least bit worried.

Cindy Peterson: Thank you for that clarification. In a permit system where some would be banned and others would not, where would the onus for deciding which are a banned species fall?

Chris Bower: Pardon?

Councilman Jaehnig: The issue that I am seeing here and that we have already run into is who is going to make the determination of what type of animal, snake or whatever it is? We have nobody on staff who is qualified to make those decisions. We also have no money to be hiring somebody or to train them for that to a point that they would meet legal requirements. For insurance purposes, if we permit incorrectly and something happens, we would not have any legal status.

Councilwoman Peterson: I don't think we are just talking about developing a list of can and cannot, but saying that particular one is on the list and we will verify that it matches up.

Chris Bower: First of all, obviously, any snake that was larger than whatever the size that was determined, what was suggested to us by Jim Harrison of the Kentucky Reptile Zoo would include all five of those deadly constricting species, was that those species were the ones that have been known to kill people. The way that it would be the most sensible it seems to be mean to be determined would be the animals that have been known to kill people, which are the vast majority of venomous (well not the vast majority) a good portion of venomous snakes that are known and those five species of boas and pythons.

Councilman Jaehnig: But, how do we know what it is that has just been brought in for a permit?

Councilwoman Peterson: At the mayor's office.

Councilman Jaehnig: We have no zoo. We have no trained zoological people.

Mayor Raizk: I want to make this clear right now, and I'm as serious as a heart attack...there ain't nobody bringing a snake to my office.

[Laughter]

Chris Bower: That is actually going to be discussed by our editor, Brittany, when it is her turn. That is something that she was hoping to address. She will take care of that. One other thing that I wanted to say very quickly, I know I have probably used up more than five minutes but some of it was questions, so... Both our society and myself personally in vocations have been involved in training certain... I have been involved in training game rangers in southern Africa and police officers in southern Africa for how to deal with venomous snake issues. Our society has been involved in training police officers with...what municipalities?

Matthew Filey: We have done Oak Hills. We have done Delhi and maybe one or two others. We are currently looking to do it with Amelia.

Chris Bower: ...with a number of local municipalities. We would like to extend an offer to train just how to recognize certain snakes and the certain things that would tend to identify someone who keeps venomous snakes, like certain tools that you use to work with venomous snakes, so that if you were an emergency responder who went into a home and saw those there, you would know that there was a potential issue.

President Ertel: Okay. Thank you.

Tim Harrison: I would like to make a statement on that. These are very wise individuals here. But they can tell you, there is a thing called [inaudible for transcription] snake, if you pick up any reptile magazine, you have venomous snakes. We just saw two in a reptile auction over in Hamberg, PA, two rattlesnakes that were white. We have had [inaudible for transcription] snakes that you can't even tell. People will breed them in different colors now and they are getting the [inaudible for transcription], my brother can tell you, [inaudible for transcription] and you won't know it is any different that a snake from around here. You're not going to be able to do what he is talking about when it comes to looking at a snake. You're not going to teach a police officer that that snake is

a venomous snake, because down the street the guy is raising them to be three different colors.

President Ertel: I see your point. Yes, ma'am.

Brittany Filey: My name is Brittany Filey. I live at 33 Eastridge Drive in Amelia. I am Editor of Greater Cincinnati Herpetological Society. I am also the Co-Chair for the Education Committee. Like they have mentioned, one of our huge outreaches is our education section. I talked to the other co-chair of the Education Committee and we are willing to extend to the city of the Wilmington our services, free of charge, to come in and do a program to train your paramedics, your firefighters, your police officers in how to handle those animals if they do come across them. Regardless of whether or not you place a ban on these animals, there are always people who are going to break the law, regardless. I am not condoning that. We are here to extend to you, the city, if you want. We will come up here and we will do that training free of charge because we know budgets are tight. We are not here to make money. That's not what we are. We're not here to get our name out there to do movies or books. We are here because we're a society that believes in the proper care and husbandry of these animals, and we want it to be safe, not only for the keepers but people around them and the law enforcement. That is something that we want to extend to the city of Wilmington. If you need someone. If you want someone to come up here and do the training, we are more than happy to do that. If you want help sitting down with knowledgeable individuals who know the animals that would be willing to help identify them and set up the permit system. Like Tim was saying, you're going to have different color phases of every snake, but if you have someone that you know on a first-name basis that you can call (and all of our board members have agreed to do this) if you get someone there and you're like, "Okay, I don't know what this thing is...it doesn't fit the description of something that is within our permit system," we will be more than happy to come up here. We're only 45 minutes away. We will come help you do that. What we don't want to see is for a blanket ban to go out to keep people from keeping these reptiles. We have an individual who has animals that are not dangerous (for the most part, I am not sure the extent of what he had), but it is very sad to see someone lose all privileges of keeping a reptile that isn't dangerous because there is a blanket ban out there. We just want to extend our services to you. If you do need help or if you do want someone to come up and speak to you different officers, we are more than willing to do that.

Mayor Raizk: Brittany, can I ask you a question?

Brittany Filey: Yes.

Mayor Raizk: How do you perceive the mechanics of a permit system? I mean, people can't bring their animals to city hall and say "Okay, this is what I've got. I need a permit for Joe, my pet boa." I mean, how are we going to know. First of all, I don't think it is right to transport them into a public place anyway. I'm trying to envision how a permit...other than you come up there and say, "This is what I have and I need a permit for Joe." Okay, we sell you a permit, but we don't know what Joe really is. That's the problem that I am having with the permit. How do we do that? Joe doesn't have papers. He doesn't have a driver's license. He doesn't have something that we can say, "Joe, you're a such and such. You're a boa. You're not an Indian python." I know you just said one is deadly and one isn't. I don't know the difference. Our people aren't going to know the difference. At the same time, if they go in on an emergency call, they're not going to know the difference at that point. I mean, the thing is going to be curled up in the corner. It's going to be under the car in the garage. It's going to be here or there. I mean, how do we know, "Wait a minute, that's Joe. He's not going to hurt anybody." I guess I am asking you that question. How does that work?

Brittany Filey: If it is okay, I'm going to let Chris answer that question, because he is more of an expert on that expert.

Chris Bower: Just one thing particular in terms of the permit and the way the State of Florida does it. They issue a permit to someone to keep these animals. In terms of the venomous animals, they issue a venomous animal permit to that person. That is on file

with the emergency services so they know at that house that those animals are there. It is not a per-animal permit. The permits for the large constrictors are a little bit different and for the Nile monitors it is a little bit different. Those are a per-animal permit. In terms of the venomous animals in general, it is just a permit to keep venomous animals.

Councilman Jaehnig: Let's say we issue a permit. Let's say they are actually being honest about what they have. How do we know that they are keeping them in the way they should be keeping them. We just ran into an incident in which we found 17 exotic animals in an apartment. The question is, I wouldn't know if that is acceptable or unacceptable for those animals – for the health and safety of the citizens at that particular point. Again, even if we do a permit, even if they are honest about the animals that they have, at particular point, we don't have the expertise to go in and even know whether the situation, the cages that they are in, the aquariums that they are in or whatever are acceptable for that type of animal.

Mayor Raizk: The other issue about it, and it is a bigger issue, is at what point does having a permit to own this kind of animal that is not necessarily the norm abrogate the neighbor's permit to not want to have that animal in their neighborhood. That is a bigger issue that I think the permit really raises.

Brittany Filey: Keeping that in mind, I completely understand that someone...I couldn't stand reptiles until about three years ago. Not that I couldn't stand them, I was afraid of them, because I hadn't grown up and I didn't know the facts about them. I had just been told the horror stories. If you are looking at someone who doesn't want to deal with a reptile and is living next to them – you have people who are afraid of dogs, who are afraid of pit bulls, who are afraid of these other dogs that live next to them. You are coming down to, are you stepping into someone's right to keep an animal on their own? I am not saying that they have any right to keep a large dangerous animal. I'm just saying, if that is the perspective you are going to take and you are going to say that we are impinging on this person's right to be free from the animal in their community, where does that differ from someone who is afraid of dogs or who is afraid of cats.

Mayor Raizk: It is a big difference because of the knowledge. We don't know...someone can have a permit to have a dangerous animal and the neighbor not necessarily know about it. They have to license their dog. The cat comes over and pees in their flowerbed. They know about that, but they do not necessarily have to be afraid of that animal. They might get mad. But, if they don't know, they have no knowledge of that person having a permit. Now, this person says, "Hey, I've got a permit," but they don't have any knowledge of it because they are not going to be out.

Tim Harrison: Can I make one comment regarding permits, real quick. Florida does have a permit. They were the original permit system down there. What else do they have down there? They have the first anti-venom bank in the United States of the America. It was made because of these permits. They had to build an anti-venom bank down there for exotic snakes – not the ones from Florida. They had so many bites down there. So, if you want to occur, that is fine.

Councilwoman Peterson: Inaudible for transcription.

Mayor Raizk: There is no possible way that we could administer a permit system. I don't know how we would do it.

Paul Hunter: We would know where they were if there were permit. I don't have a dog in the hunt, but I would just like to offer the idea, if you permit them, at least you know where they are. If you don't permit them, they are out there and you don't even know it...

Tim Harrison: We've never had anybody raise their hand and say "Can I have my cougar back."

Paul Hunter: We're talking about snakes. Cougars are obvious. I agree with you.

Tim Harrison: How about the Gaboon viper with the four and six-year-old boys. Nobody said it there.

Paul Hunter: It's going to be there regardless. People break the law all of the time.

President Ertel: You have about one minute left. Are you finished?

Brittany Filey: I would just like to say, while we are not saying that we are completely opposed to limiting what is kept in Wilmington, we simply are offering our services that if you do choose to do a permit system, we are here as an educational resource. We are willing to work with you because we don't want to see pet owners, snake owners, reptile keepers banned from keeping smaller snakes that are not as dangerous as what you are perceiving the larger animals to be. If you choose to ban venomous reptiles and the large five, if that is something you don't want kept in Wilmington, you can do a blanket permit for the smaller animals just basically to keep on file, like a dog license to have your dog, part of a public record stating this person has non-venomous reptiles in their home, some public record so that people do know and so that your law enforcement and emergency personnel do know and are aware of it.

President Ertel: Very good. Thank you.

Councilman Jaehnig: I need to ask a question to the society real quick.

President Ertel: Go ahead.

Councilman Jaehnig: The question I have is a moral question. By allowing permits and allowing people to keep these exotic animals, snakes or whatever in their homes, don't we perpetuate an attitude of taking advantage of these animals in other countries? It seems to me if animals are getting yanked and they are getting moved around and so forth to fulfill our heart's desire because I want to have a cute, cuddly tiger, it seem to me by allowing that, it just perpetuates that problem.

Matthew Filey: With reptiles, I would say a vast majority of the animals are captive-born that are being passed around. There are some notable exceptions, like the monitor lizards in Africa are actually farmed like cattle to be brought over for pets. These animals are not being, for the part, taken out of the wild. They are being bred specifically; otherwise, we wouldn't have all of these color variants that Tim was talking about.

Tim Harrison: They are called designer snakes.

Matthew Filey: Exactly. Designer snakes. The reptile business in the United States is well over a billion dollars, when you put in everything together, easily. It is the stuff you don't think about. I build my own cages, so you have to go out and go to Home Depot and that. People are going spend all of that money on maintaining a captive animal. The permits to bring animals into the United States every year becomes increasingly strict, so it is going to become a less and less problem of wild-caught animals in terms of reptiles coming in and having almost 90% of animals actually being captive-born.

President Ertel: Anyone else wishing to address council on this subject? Yes sir.

Greg Waites: My name is Greg Waites. I live at 394 Dana Avenue. We breed exotic birds. We don't do reptiles. We don't do cats. I have been to the Mount Hope auction several times over the past several years. What I don't want to see, is I don't want to see a ban put on something widespread to where a little kid can't have a parakeet. A parakeet has never got loose and bit nobody and hurt them. We breed big exotic birds too. We have a lot of birds that are on the number one [inaudible for transcription] list that we do have permits for. We have some birds that there are only 1500 of them in the world. There is no importation of exotic birds in the United States and there has not been for over 20 years. Everything is captive-bred, which is what we do. I own and take care of over 700 birds. We build our own cages. It is not a threat to anybody. They're not going to get out and hurt anybody, but I just don't want to see... I think my green wing macaws and my golden conures and a lot of my stuff that people don't never see out to

the flea market on weekends and a lot of people come through have never seen a bird like that. It is just my own pets that I take out there for show, but we also sell babies out there every weekend. I just don't want to see a widespread ban put on exotic pets to hurt our business.

Councilman Jaehnig: Have you seen a copy of the ordinance?

Greg Waites: No.

Mayor Raizk: It is pretty specific, and there are no birds on there.

Greg Waites: I understand that the birds aren't listed. What I'm saying is, if you go a widespread ban on snakes, then it is going to be lizards, then it is going to be this, and then it is going to go on to birds. I understand that birds aren't on the list. I've heard what all of these people says. I have been to the Mount Hope auction twice a year for the last 30 years. I know exactly what it is. I know what it is. I travel to a lot of different auctions. But, we don't buy lions and tigers and snakes and crocodiles because I've got more sense than that. I'm 52 years old and I know that is not my expertise. We breed exotic birds, and I just want to make sure that there is not a widespread ban put on stuff and I would have to get rid of my parakeets.

Mayor Raizk: No, it is pretty specific. I will say though, Greg, the only way that a bird would ever be included is Item No. 1, any animal that is listed on the published federal or state list as an endangered species. You have to have federal permits for that. You have to have that.

Councilman Jaehnig: And part of the ordinance is if you have a state of federal permit, we cannot override that. So, if you have already got a state or federal permit, then you are fine, because we're assuming at that point that they actually do know what they are doing.

Greg Waites: I knew my issue didn't really have anything to do with this, but when I was told about it, I thought I probably should come.

Tim Harrison: That is a natural fear right there, because we are trying prevent children from being hurt or animals being put down, it is a natural fear. I had the same thing in Cleveland and the same thing all around the country, because people are scared that we are going to stop them from having king snakes, we are going to stop them from having frogs, we're going to stop them from having parakeets. It has nothing to do with that – it's just public safety.

President Ertel: Public safety is number one. That is the true issue, really. Thank you so much. We appreciate your comments.

Tim Harrison: Can I make one more comment.

President Ertel: Just one now. Are you sure?

Tim Harrison: All I want you to do before you sit down and make a decision on this is please go to your emergency room doctors here in Wilmington. That is all I want to say. Also, I want my colleagues down here to explain why he filmed his monitor lizards. What is your film for *Animal Planet*?

Matthew Filey: What I filmed with animal planet was a reenactment of Alexandria Hall. She did have a Savannah Monitor Lizard and she actually had a white-throat monitor lizard, which is basically elevated to a new species. They took one of my large savannah monitors and she carried it around on her chest to reenact the scene. They brought it out for the Amelia Police Officers to see and they also had a couple of other shots with her.

Tim Harrison: What happened [inaudible for transcription]?

President Ertel: The lady back there wanted to speak. Did you not want to speak?

Rose Pence: I'm Rose Pence, 196 E. Lewis Ave. Sabina, Ohio. I just want to say that I affirm the educational value of Greater Cincinnati Herpetological Society and have been a member very long. I am not an expert, I just really want to make sure that legislation isn't enacted because people are afraid or uneducated. They are a source of education. They are group of experts and a great group. Thank you.

President Ertel: Okay. Thank you very much. Is there anyone else wishing to address? Yes sir.

Kenny Weiderhold: My name is Kenny Wiederhold. I live at 2076 US 68 South, Wilmington, Ohio. I am the permit holder of 17 animals. They sent an officer down. She inspects my cages and told me I could go get my permit. I have signs posted, so if you are wondering about that, that is how that is done. You guys issue two signs and you place them on your front and back doors, and that lets any kind of emergency personnel coming in know that they are in there. I also have one on the room that they are in, which also lets them know that they are in there. All of my animals are non-lethal. Most of them are smaller species of constrictors, all under 10 foot. I also have monitor lizards. They are also pretty tame, for the most part. They don't escape. I take good care of them and feed them well. I don't think an outright ban would be the right thing to do with it, because it would not be fair to people who do keep them right. That's all I've got to say.

President Ertel: Thank you. Anyone else? Thank you all for your input. We appreciate all of your different viewpoints issued here, and certainly will be taking that into consideration when reviewing the subject. At this point, that basically takes care of my portion of the agenda. You are all welcome to stay for the rest of the meeting, but perhaps it may not interest you quite as much as your hobbies. So, you are free, certainly, to leave.

Councilman Wells: Mr. President.

President Ertel: Yes sir.

Councilman Wells: I have a question about this exotic animal ordinance. I could ask it during the safety committee presentation or would you rather I ask it now?

President Ertel: Why not wait until we get to it, because it is specific to the legislation, correct?

Councilman Wells: Yes.

President Ertel: Okay. Very good. At this point, Mr. Mayor?

Mayor – Mayor Raizk: No report, seeing the lateness of the hour.

President Ertel: Very good. Committee Reports. Asset, Acquisition and Use?

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

President Ertel: Thank you. No auditor report.

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

President Ertel: Finance Committee? Sandy?

Finance Committee – Chairperson Sandy Mongold: We do have several items this evening. The first item is a resolution authorizing the mayor to enter into an agreement with Honeywell International, Inc., for the energy efficiency/energy cost saving project for the City of Wilmington buildings and facilities and declaring an emergency.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the resolution Authorizing the Mayor to Enter into an

Agreement with Honeywell International, Inc for an Energy Efficiency/Energy Cost Savings Project for City of Wilmington Buildings and Facilities and Declaring an Emergency, by title only.

Councilman Peterson: I just have a quick question. Why do we have to have three readings tonight? I'm sorry, [inaudible for transcription].

Councilwoman Mongold: Well, for one reason we are trying to arrange the bank to secure a low interest rate.

Roll call: Jaehnig, yes; Wells, no; 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, no; Peterson, yes; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Res. No. 2170 passed as read.

Councilwoman Mongold thanked the Honeywell representatives and Dave Allen for all of their work on helping to put together the project. The Honeywell representative said he appreciated all of the support of council and that they were excited to start the project.

Paul Hunter: I appreciate the humility of you guys redoing this seeing as the other process wasn't up to snuff and that you didn't stand there like a stone and say "We're going to do it anyway." I appreciate it.

President Ertel: Thanks, Paul.

Councilwoman Mongold: The second item tonight is an ordinance establishing a new fund. That is the Ohio Public Works Nelson Road project fund. It is Issue 2 money.

A motion was made by Mongold and seconded by Peterson to give the first reading only on the ordinance Establishing a New Fund (Nelson Avenue).

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. 4872 passed as read.

Councilwoman Mongold: The next item is an ordinance establishing a new fund, and that is the Ohio Public Works sewer project fund.

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

Motion passed

Director of Law read 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; 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. 4873 passed as read.

Councilwoman Mongold: The next item is an ordinance making miscellaneous transfers.

Councilman Wallace: I have a question. Could you tell me what this is for. It doesn't say in anything that I've got. It says that we are transferring from this account and this account, but I don't know what it is for.

Councilwoman Mongold: Basically, what they are doing is they are moving them from one account to another account.

Councilman Wallace: Is this all Fire Department.

Councilwoman Mongold: I see one in there.

Councilman Wallace: I see one says squad.

Councilwoman Mongold: I'm sure that is for the squad.

Clerk Laura Curliss: Some are court.

Councilman Wallace: They are not all three the same thing.

Councilwoman Mongold: No. Not the same department, no. Does that answer your question?

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 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 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. 4874 passed as read.

Councilwoman Mongold: The next item is an ordinance making supplemental appropriations. This first item appropriates to pay out of the water fund for the bonds that we are calling. The second item is we are depositing it with the first mortgage so then they will pay the funds out to the investors. The last two items is just the way we are tracking the Issue 2 money.

A motion was made by Mongold and seconded by Jaehnig 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. 4875 passed as read.

Councilwoman Mongold: The last item we have is an ordinance authorizing the payment of expenses incurred in a prior fiscal year, the then and now. I asked Mary Kay, if this happens at the beginning of January, will we have the then, then and now?

[Laughter]

Councilwoman Mongold: It keeps going on and on now. We're getting close. These are purchase orders from last year and they are for projects just being finished. Hopefully this will be the last time.

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

Motion passed

Director of Law read resolution 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 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. 2171 passed as read.

Councilwoman Mongold: That is all we have tonight, Mr. President.

President Ertel: Thank you very much. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Streets Committee – Chairperson Peterson: We have one item. As we opened up Nunn Avenue, we have noticed that there is a lot more traffic and it is going a lot faster. The legislation tonight is to add a four-way stop at the corner of Nunn and Kay. Are there any questions?

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, and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

Peterson requested that the second and third readings be on the agenda for the next council meeting.

Clerk Laura Curliss: Oh, okay. You don't want to do three readings.

President Ertel: You don't want to do three readings; you just one to do one.

Councilwoman Peterson: Thank you.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President, I have nothing on the Agenda tonight; however, I would like to encourage the citizens to please recycle. Use the blue bags and help save our landfill. Thank you, Mr. President.

President Ertel: Thank you. Wastewater/Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: I have no report, Mr. President.

President Ertel: Thank you. Judiciary?

Judiciary Committee: Chairwoman Leilani Popp: Yes, Mr. President. We have two items this evening. The first item is the third reading on the resolution authorizing the submittal of a proposal with the Ohio Department of Transportation for a Grant through US DOT Federal Transit Administration.

A motion was made by Popp and seconded by Peterson to give the third reading only on a 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 Fund Available from the Ohio Public Transportation Grant Program and Ohio Elderly and Disabled Transit Fare Assistance Program and Executing a Contract with the Ohio Department of Transportation Upon Grant Proposal Acceptance and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

Motion passed.

President of Council declared Res. No. 2172 passed as read.

Councilwoman Popp: The next item is the third reading on a resolution authorizing the execution of a contract with the Ohio Department of Transportation for the 2010 Elderly and Disabled Transit Fare.

A motion was made by Popp and seconded by Peterson to give the third reading only on a resolution Authorizing the Execution of a Contract with the Ohio Department of Transportation for the 2010 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 Popp and seconded by McKay to pass the resolution as read.

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

Motion passed.

President of Council declared Res. No. 2173 passed as read.

Councilwoman Popp: Our third item is the second and third reading on a resolution adoption a City of Wilmington mini revolving loan fund.

A motion was made by Popp and seconded by Peterson to suspend the rules and give the second and third reading on the resolution Adopting a City of Wilmington Mini Revolving Loan Fund, by title only.

Councilman Wallace: Can I ask a question, please?

Councilwoman Popp: Sure.

Councilman Wallace: Will our 25% come out of the general fund? There ought to be a separate thing so that way for our portion of this....

Mayor Raizk: We're thinking about a separate thing right now. We are doing this, but we don't have our final EDA approval on this.

Councilman Wallace: This is a [inaudible for transcription] responsibility.

Mayor Raizk: Yes. I think we can handle that, not necessarily out of the general fund. We have other sources to do that with. Incidentally, since you brought that up, this is a mini-revolving loan fund that is for small businesses or startups that want smaller...it will be administrated in such a way that their paperwork is not the typical type of scenario, so if they really have a good pro forma they can get access to this money and get it quickly. We also have, which will not be affecting City funds, an EDA project of a large revolving loan fund, which will be \$2,000,000. The 25% share, we have a letter that has been given to the EDA from the Ohio Department of Development that they are advancing a half a million dollars. They will put the share up for that. That will give us another tool, another arrow in the quiver, if you will, in terms of redevelopment. Both of these are kind of important. We see that loan fund as something for the larger-type project, the revolving loan fund, where these would be for smaller businesses that could use this, or startups, or even people starting their own business that just need a little help.

Councilman Wallace: Let me ask a question as well.

Mayor Raizk: Yes.

Councilman Wells: Who manages this fund?

Clerk Laura Curliss: That's ECDI.

Mayor Raizk: There is a state-approved agency that is called ECDI. They do these in other communities. We don't have any administrative responsibilities. As for the large revolving loan funds, and this is informational only because there is really no legislation that will be a part of that. The Port Authority will manage that large revolving loan fund. They have the ability to do that under their type of charter.

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 Popp 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. 2174 passed as read.

Councilwoman Popp: Our next item is three readings on a resolution authorizing participation in a Worker's Compensation pool and declaring an emergency. This is an annual thing that we do. We are on a time schedule here.

A motion was made by Popp and seconded by Peterson to give the first reading only on a resolution Authorizing Participation in a Workers' Compensation Pool and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

A motion was made by Popp 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 Popp 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. 2175 passed as read.

Councilwoman Popp: This last item is three readings on a resolution delineating a redevelopment district within the downtown for the purposes of the Ohio Small Cities CDBG program.

A motion was made by Popp and seconded by McKay to give the first reading only on a resolution Delineating a Redevelopment District within the Downtown for the Purposes of the Ohio Small Cities Community Development Block Grant (CDBG) Program (Tier II Downtown Program Grant).

Motion passed

Director of Law read resolution by title only.

A motion was made by Popp 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 Popp 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. 2176 passed as read.

Councilwoman Popp: Thank you, Mr. President. That is all I have these evening.

President Ertel: Okay. Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: Thank you, Mr. President. We have two items. Obviously, we have spent a great deal of time on the first item. I'm sorry that it is last on our list tonight for you waiting so long. Mr. Wells, do you have a question?

Councilman Wells: I have a question and I would like to have this clarified. 507.01 Prohibited Animals, No. A, under number 3 where it says "deer," number 4 says "skunk," number 7 says "groundhogs," and number 8 says "coyotes." If I put in my yard an ear of corn or cracked corn or sunflower seeds or birdseeds to feed wild birds, squirrels or whatever and one of these animals comes into my yard and feeds, am I guilty of harboring or maintaining a prohibited animal?

President Ertel: It was not your intent to do so.

Councilman Wells: It is still okay to feed birds and squirrels, correct? Even if one of these animals comes into my yard?

President Ertel: Correct. But, if they are there every day, noon and night, we might ask the question, "Are you doing this on purpose?"

Councilman Wells: Yes, I am doing it on purpose.

Mayor Raizk: Kathryn, wouldn't the issue be control?

Law Director Kathryn Hapner: Well, I understand where Don is coming from, because if he is putting stuff out every day and deer and badger are coming in and he knows they are coming in. He is not putting them out for the animals, but it could be construed that he is violating this ordinance because those animals come and he knows that they are coming. So, I understand his concern that even if he is not trying to attract them, the way this ordinance is read, it could be construed...

Mayor Raizk: I guess I was going back to the A part. I know what Don is saying, which I understand that. It says "shall keep, possess, harbor, maintain or have care, custody or control." Animals that come into your yard...

TRANSCRIPTION INTERRUPTED. END OF TAPE

President Ertel: ...it would be an issue and it would be a great, great opportunity for a judge to review.

Law Director Kathryn Hapner: Well, I mean, there isn't anything that I can point to, any prior cases that I can point to and say yes or no, but I'm saying that the danger is that if

you have a very liberal wide reading of this, then you wouldn't read it any differently than you do for stray dogs or cats. If it is a stray deer or a stray coyote and you are putting food out and those animals are coming in, it could be construed that you are having care of them.

Councilman Jaehnig: So, the concern is over the word "harbor."

Law Director Kathryn Hapner: "Care" or "harbor."

Clerk Laura Curliss: This is the language of the Dayton ordinance that has been in effect for a number of years, and I'm not aware of any case law, maybe Kathryn is, I'm not, that it has been construed that way. I mean, it is a tested ordinance. We did not make this ordinance up. Okay? This is from another city that has had it for a number of years.

President Ertel: Okay. Good question. Yes?

Councilwoman Peterson: A couple of things. Maybe someone will [inaudible for transcription]

Councilman McKay: I agree.

Councilwoman Peterson: For the gentleman who lives on 68 South, and I apologize for [Inaudible for transcription]. I believe that section "C" addresses his questions.

Law Director Hapner: For ten years. He can continue to have those animals for ten years.

Councilwoman Peterson: Your creatures would be grandfathered in.

Law Director Hapner: As long as he doesn't take them away for more than four months – for a four-month period of time.

Councilwoman Peterson: Sir, does that answer your question?

Kenny Weiderhold: A little bit.

Councilwoman Peterson: Because they are already permitted.

Law Director Hapner: The problem is if he moves...

[Inaudible discussion regarding the address]

Councilwoman Mongold: The way this is written if, if there is a permit issued prior to October 1.

Councilman Jaehnig: That is going to change.

Kathryn Hapner: It cannot be effective today.

Clerk Laura Curliss: It will be amended. If you don't pass it today, it is going to have to be amended next time.

Kathryn Hapner: The problem is if he moves, under this ordinance, if he moves, he loses that permit.

Councilman Jaehnig: Under the current ordinance, if he picks up a permit at one location and then moves to a new location, does he have to get a permit?

Councilman McKay: There are so many questions and we seem to need clarification on the permit process, I would like to see how we actually are going to... it's either carte blanche or we are going to identify these animals, which I don't think we are. I agree

that legislation is important, but we do need to know where we are going before we pass this.

Councilman Wells: And I also need clarification on the feeding birds. A lot of people feed birds.

President Ertel: A question from the audience.

Unidentified Male Speaker from Audience: Regarding the bird feeding, one thing you could run into is if you are attracting deer and you have a neighbor with a garden or fruit orchards or something like that, they would be complaining that this guy is pulling in the deer.

Councilman Jaehnig: Oh, we already have that.

[Laughter and inaudible banter]

Councilwoman Peterson: Could we perhaps have a committee meeting before the next council meeting?

Councilman Jaehnig: Yes, I have no problem with having a committee meeting. Are we in the position that we want to do the second reading and have a committee meeting for resolutions?

Councilman Wells: The only thing I want is because there are a lot of questions. A lot was said tonight. There is a lot that needs to be digested. There are a lot of questions.

Councilman Jaehnig: I would suggest, if we don't have a consensus, that we...

Clerk Laura Curliss: I think you do for a second reading. I would just make the motion.

A motion was made by Jaehnig and seconded by McKay to give the second reading only on the ordinance Rescinding Codified Ordinances §507.01 and §§507.03-.06, Amending §507.02 and adopting a New Codified Ordinance(s) in Chapter 507 Regarding the Keeping, Possessing, Harboring, Maintaining, Custody or Control of Exotic, Wild and Vicious Animals in the City of Wilmington.

Roll call: Jaehnig, yes; Wells, no; Peterson, no; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes.

Motion passed

Director of Law read ordinance by title only.

President Ertel: Very good. There is going to be a committee meeting then, and this third reading could be perhaps two meetings from now. Am I thinking that right?

Councilman Jaehnig: Yes. We plan on having a committee meeting as soon as possible.

Councilman Jaehnig: Thank you, Mr. President. We have a second item. It is three readings on a resolution accepting a gift to the Fire Department and declaring an emergency. This is a vehicle that is being donated to the Fire Department for training purposes.

Councilwoman Peterson: Can I ask, how are they going to use it?

Councilman Jaehnig: [Inaudible for transcription]

Councilwoman Peterson: That is what I thought.

Clerk Laura Curliss: They cut it up.

Councilman Jaehnig: Okay.

A motion was made by Jaehnig and seconded by Popp to give the first reading only on a resolution Accepting a Gift (Vehicle to Fire Department) and Declaring an Emergency.
Motion passed

Director of Law read resolution by title only.

A motion was made by Jaehnig 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 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. 2177 passed as read.

Councilman Jaehnig: That is all, Mr. President.

President Ertel: Thank you. Downtown Revitalization Committee?

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

President Ertel: Thank you. Parks & Recreation Committee?

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

President Ertel: Thank you. Mr. Service Director?

Service Director- Service Director Larry Reinsmith: I have about six things.

[Laughter]

Service Director Larry Reinsmith: I just want to explain. I put a little notice in the paper. It may be there tomorrow. It was in your online paper tonight, I think, because I thought it was a fine time for all of you people running for reelection. It has to with signs. I was just reminding candidates that signs are not permitted in the right-of-way. The right-of-way is the area between the curb and the sidewalk. I'm just telling you. In the past they've gotten kind of wild. If the street doesn't have a sidewalk, then the rule of thumb is about 7 ½ feet behind the curb is the right-of-way line. I also mention that this does not just pertain to political signs, it pertains to all business signs. Recently I have noticed that we have signs nailed all over utility poles, and they are not permitted on utility poles. There are reasons for this. It's safety. They nail these signs up at intersections and it blinds your vision. They are good at putting the signs up and sometimes they take them down, but they never pull the nails out. The problem is those nails remain in there, and then you get a utility person that comes in there and decides he wants to climb that pole, he hits those nail heads with a set of hooks on his feet and he'll burn that pole. I am sure that most of those people never got permission from the utility companies to put those signs up there. Then, we have other businesses. We have another incident right now, we have a scarecrow tied to a street sign out on Rombach Ave. right by East End School. We have to control these right-of-ways, so I put the notice in the paper to warn everybody not to do it. I'm just going to have a standing order with the Service Department to go pick these signs up, and if you want them you can come get them at the Police Department. That is where they will take them to.

Councilman Wells: Larry, does that include real estate signs?

Service Director Reinsmith: I think really it does. I mean, it says no signs in the right-of-way. Most of the houses that are selling have a front yard. That is all, Mr. President.

President Ertel: Thank you, sir. Safety Director?

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

Reports:

A motion was made by Wells and seconded by Jaehnig to approve the Income Tax Report – September 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.

Robert Mead: I'm Robert Mead. 1013 N. Lincoln Street. Wilmington. I just have a question regarding the recycling. I agree 100% with Councilman Wells' statement that we need to save our landfills and not put something in that doesn't need to be there. Why then can't the city accept recycling from commercial establishments who generate a much higher percentage of recyclables than any home? So all of our recyclable waste goes in our trash and goes to your landfill. That is opposite of what you say you are trying to do. That is just a question. I don't expect an answer tonight. It is just a comment. Thank you.

Councilman Wells: Robert, are the recyclables that you are talking about, is that cardboard?

Robert Mead: It could be cardboard, plastic, glass, what is normally recyclable at home, plus cardboard is a problem, since you mentioned it, and that includes the county. See, we can't even take recyclables out on Main Street to the dumpsters. They will not allow commercial establishments to do that, so all of our stuff is ending up in your landfill and you don't need that.

Councilwoman Popp: There is a company.

Robert Mead: Yes, I know. I can pay somebody to come and get it, but I don't particularly want to do that.

Councilwoman Popp: No sir, there is a company in Hillsboro that will pick up the cardboard. I forget the exact name. They hire people. They take it for free, the cardboard, and they recycle it in Hillsboro. Their employees separate it and that is their job. It's like our Nike Center. It's Hillsboro Nike Center.

Robert Mead: I think that is very noble.

Councilwoman Popp: I can give you the information on that and let you know. They have a route in town. I think they come every day in town and you can set it out and have them pick it up.

Robert Mead: Being a citizen of Wilmington, living in Wilmington, and having an establishment in Wilmington, why would I need to deal with Hillsboro to prevent my landfill?

Councilwoman Peterson: You know, the cardboard, first of all...

Robert Mead: It isn't right.

Councilwoman Peterson: Well, that's interesting, because I do think that something that we have looked...

Robert Mead: Just consider. Just consider.

Councilwoman Peterson: They do not accept cardboard [inaudible for transcription] at the landfill.

President Ertel: I think that is an excellent point.

[Inaudible banter regarding landfill]

President Ertel: Okay. Thank you. Yes, Phil.

Phil Floyd: I would ask anyone in attendance would kindly sign the sheet saying they attended the public hearing; it is totally voluntary.

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