

Wilmington City Council met on Thursday, October 15, 2009, with President Fred Ertel presiding.

Roll Call: Jaehnig, present; Wells, present; Peterson, absent; Wallace, absent (joined meeting at 7:38 pm); Popp, present; Mongold, present; McKay, present.

Chief Hatten was also present.

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

President Ertel: Mike Wallace is on his way, so he will join us in 5-10 minutes.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Wells and seconded by McKay to approve the minutes of the last regular meeting, October 1, as received.
Motion passed.
Minutes approved as received.

President of Council – Fred Ertel: If you could, when you speak, could you speak into the microphones for the councilpersons. We have had a few issues of being able to determine exactly what is on the record. If you could, just speak into the mikes. I would appreciate it. It makes Andrea's job a lot easier. At this point, we would like to have a presentation by the Secretary of State's Regional Liaison, Shekar Jayaraman. If you would, please, come to the podium.

Shekar Jayaraman: Thank you so much, President Ertel, Mayor Raizk, and Council Members. I just wanted to introduce myself. My name is Shekar Jayaraman. I'm the Ohio Secretary of State Jennifer Brunner's Regional Liaison for Southwest Ohio, so that entails Hamilton County, Butler County, Warren County, Clinton County and Clermont County. I just wanted to take a couple of minutes here and introduce our office and kind of let you know what we can do for you as a state agency and what kind of services we can provide for you from Columbus and what I can personally do for you around the area itself. I work very closely with Joy Ames and Betsy Hart down at the Clinton County Board of Elections. Just to tell you a little bit about our office here. The Ohio Secretary of State's Office, when people think about the Secretary of State's Office, they think mainly election services, but we actually have many other functions to our office up in Columbus. We have four main goals that we would like to see happen around the entire State of Ohio. The first and foremost goal, like I mentioned, is to restore trust to Ohio elections. We want to see that citizens have faith that Ohio elections are free, fair, open and honest, and to encourage the highest level of participation in our democracy. Number two is to ensure that business filings are quick, easy and efficient to retrieve. Basically, what this entails is anytime a business wants to set up in the State of Ohio or any sort of entity wants to come to the State of Ohio, whether it be a for-profit corporation, a nonprofit corporation, they all have to register with the State of Ohio through our office. So, often times, you can either go through myself or you can call our business services office directly up in the State of Ohio. I think this is very important that people understand the services that we have to offer through our office with business services. Especially in these trying times, a lot of people are looking toward entrepreneurialism and starting their own businesses. We want to make sure that people are able to utilize our services to the utmost degree so that they can bypass having to spend any further money on consultations or anything – that we are able to be as big of a help to you, as the people, as we possibly can be. I brought these two pamphlets here that kind of act like tutorials as to how to set up a business in the State of Ohio. The first one is a "Guide to Setting up a Corporation in Ohio." This kind of tells you how you can maybe go about trade-marking or how you can set up an international corporation – any sort of for-profit corporation. The "Guide to Nonprofit Organizations" here tells you how to start up a nonprofit, so like a 501.3(c) or any sort of nonprofit corporation. This

is something we take very seriously. One thing that we want to make sure that every citizen knows of Ohio is that when you do call our call center up in the main office in Columbus, when somebody does answer the phone to assist you, you are actually talking to a live expert and that entire call center is actually right below the Secretary's office. We have attorneys there, we have MBAs, we have trained professionals that are able to help you and guide you step by step. Like I said, I am always available to help you as well, if you endeavor to start your own business.

Shekar Jayaraman: Another issue that I wanted to bring up, and we take this very seriously, in terms of polling locations for the State of Ohio and the elections. We want to make sure that everybody knows their rights when they are at the polls. We want to make sure that anyone with a disability, anyone who feels disenfranchised we want to make sure that they know that they take very seriously that every single polling location is met to the ADA standards, which is the American with Disabilities Act. What I do personally, and what my colleagues around the state do personally, is we go to as many polling locations as we possibly can and we work with the Boards of Elections and specifically here, Clinton County Board of Elections, and we make sure that every single polling location is up to compliance. That means that from making sure that there is a ramp available for people with wheelchairs, to making sure that even the door isn't too forceful for a person who may have any sort of imparities with their hand to be able to open the door, is able to open that door. Once they actually get into the premise itself, once they go to vote, we want to make sure that people have that option that if they don't feel comfortable reading the actual ballot or if they have any sort of visual impairments, we have facilities that they can actually go and choose an alternative form of voting. This is what we call the ADA Compliancy Unit. They can actual put on headphones, and the ballots will be read to them. If they are still not comfortable with that, you can actually go to a poll worker. What we end up doing is we have equal representation of both major parties in the State of Ohio. We have democrats and republicans. One representative from each party will come to assist you so that there is no sort of favoritism or there is no sort of partisanship when the ballot is being read to the individual. These are the kinds of checks and balances we use with that as well. I brought this...this is a little pamphlet. This is kind of telling you what kind of standards we use, so that anybody who may have difficulty or any sort of impairment feels comfortable with the voting process.

Shekar Jayaraman: I also brought one of the "Vote in Honor of a Veteran" pamphlets. This is an initiative that our office has brought up, which we feel is very important, mainly because we are one of the very few countries in the world with a democracy -- but a democracy that allows everybody to vote, anybody to walk into any sort of town hall and be able to voice their expressions or their opinions, no matter what their background is. So, we want to make sure that the very people who gave us this right and still maintain this right for us, are the veterans and are the people who are out there on the frontlines every single day, fighting for us to make sure that they can restore democracy back home. We want to make sure that the very essence, the very fundamentals are being respected and are being honored. A small way that we can show our respect and our honor toward our veterans is to fill out this little card here. What you do is fill this out and we will send a lapel pin back saying that "I voted in Honor of a Veteran." This is our way of reminding all Ohioans that the reason that we are able to vote so freely is because of these people who restore these trusts for us.

Shekar Jayaraman: Finally, I brought "The Profile of Ohio." This actually was initially meant for children, but we found out that adults enjoyed it a lot more. This is a profile of Ohio. If you kind of flip through it, it kind of shows you all of the achievements of the State of Ohio. It shows you the kinds of institutions we have in Ohio. The achievements in terms of entrepreneurship, all of the businesses that are settled in Ohio, and neat little facts -- like our state bird, our state bug (which is a ladybug, by the way, I didn't know that), and neat little facts. For instance, we have six medical schools in Ohio, and that is the second largest state per medical schools in the country, second to California. These are important things that I think every Ohioan should know. It just raises our pride in our state. I just wanted to kind of introduce our office here and tell you what we are all about.

Shekar Jayaraman: One more thing that I think is very important that we should all remember is, when election season comes up, we should try to encourage ourselves, our friends, or our family, anybody that you know, to become a poll worker. I think it is very important, and I brought some applications with me as well. You can also contact me or the board of elections about this. I think it is very important for people to become poll workers. A) Being a poll worker is the very grassroots, the very essence and face of democracy in this country. This is probably the most important job in elections in this country, just because this the very checks and balances that make sure that every vote is counted properly and fairly and that there is no partisanship; there is no favoritism. When you walk into a polling location, the very faith that you see as a poll worker, so we want to make sure that this is the best way to give back to our communities. This is the best way to get involved physically. I just want to encourage everybody to think about it and support your local Boards of Elections and support your local communities in becoming poll workers. With that being said, I just wanted to give an introduction and let you know what we are about. I am always available to help you guys out. I want you to think of me as your personal liaison to state government. I am always willing to help out, whether it is in business services, elections, any sort of questions or concerns that you have, I am always there to help you out. I brought my cards with me. I'm young and energetic, so whenever you need me, let me know.

President Ertel: Thank you so much.

Councilman McKay: Just one question or comment. Thank you. That was very well presented.

Shekar Jayaraman: Thank you.

Councilman McKay: I believe that we do still have a shortage of poll workers here in Clinton County. I was talking to Betsy the other day. So, if that could be kind of publicized, it might help the Board of Elections.

Shekar Jayaraman: Sure. Absolutely.

Councilman Jaehnig: Specifically, one party.

Councilman McKay: I'm not sure.

Geoffrey Phillips: It is entirely one party.

Councilman Jaehnig: We need more democratic poll workers?

Geoffrey Phillips: [inaudible for transcription].

President Ertel: There you go. Okay, very good. Thank you so much.

Mayor Raizk: Some of you guys could change your registration.

[Laughter & Banter]

President Ertel: Very good, sir. Thank you very much for coming tonight.

Shekar Jayaraman: One more thing. This is Access Ohio. You can access any state agency you like. On the back of here, it gives you all of the phone numbers and everything. I forgot to mention this.

President Ertel: Thank you so much.

Paul Hunter: I have one question for you.

Shekar Jayaraman: Sure.

Paul Hunter: Have you guys considered half-day or half-shift poll workers? As we gray, 12 hours is a long haul for some of us. I think that maybe a six-hour shift or something like that could be introduced.

Shekar Jayaraman: I haven't heard any talk of that lately, but that is certainly something I could take back as an idea and mention to them.

Paul Hunter: Older people like to do that, but if you have varicose veins and all of the things that go along with it....

Shekar Jayaraman: I will take that back up to the Secretary, sir.

President Ertel: Very good. For the record, I would like to mention that Mike Wallace joined us at 7:38. Thank you, sir.

Councilman Wallace: Are you trying to make it look like I'm late there?

President Ertel: No. I just want to make sure that it is on the record that we have only one absent person here. You have been excused.

Councilman Wallace: I am present and accounted for.

President Ertel: Very good. At this time, I would like to open up discussion. Obviously, I see a lot of faces in the audience concerning the ordinance for the exotic animals here in the City of Wilmington. If we could, have you come to the podium and state your name and address for the record. I would like to hold the comments to about three minutes each. Please, the information that you gave last time, I think most of us remember, so if you could maybe only bring up new things that we need to consider, I would appreciate it. So, would you like to speak sir?

Matthew Fille: I just wanted to say that it will be two new people with a completely different background.

Eric Keyster: My name is Eric Keyster. Address is 4213 Hathaway Road, Union KY 41091. I would like to say that I work at the Cincinnati Zoo, but my opinions are strictly my own. I am not representing the zoo in this forum. I am opposed to this ban, from what I have seen anyway. I'm not sure it is enforceable. Having said that, there are a lot of species on there that pose absolutely no threat to anyone. I've been working in zoos with potentially dangerous reptiles and crocodilians for a really long time. I have never had a serious injury from any of them. I think that a lot of times emotion and fears get brought into it. If you really look at the statistics, they are not near as dangerous as some people may have you think. According to the Bureau of Labor Statistics, you are 33 times more likely to get injured by an insect than you are a reptile. I think the fear gets trumped up a lot. Dogs kill more people every year than reptiles do. You can look at the Bureau of Labor Statistics website and get that information. Of course, you are going to hear more about the big snake attacks and stuff like this. Once in awhile, people have died. You are going to hear about that because that is good news. You are not going to hear about the person who got killed by their horse or their dog as often. I just ask that you take the emotion out of it and the fear out of it and look at the statistics.

President Ertel: Very good. Thank you so much. Next?

Elmer Williams: I just had a couple of questions really. My name is Elmer Williams. I live at 181W. Main Street in Wilmington, Ohio. I have lived here since 1972. I have an African serval cat; he's about this big. He is harmless. He has been on the front page of the paper three times. I take him to churches and schools and let kids see him and learn about him. He has been up here, even. He could possibly live 23 years. I kind of hate to get rid of him or leave town. I see here this limits us to 10 years. If this is passed, I want to ask, who makes the decisions on questions and problems that you would have? Who would you go to? I'm really against it myself, but if it passed, I just want to know who to go to.

President Ertel: Rob?

Councilman Jaehnig: Your serval – what is the age now?

Elmer Williams: Three years. He is three years old. He has been in town for three years.

Councilman Jaehnig: We have an issue with that particular point. I don't know about council, our intent was to take into consideration the average lifespan. Obviously, we are uneducated with the lifespan of a serval. Personally, I don't know about the rest of council, I would think that we would need to take into consideration something that would take more of a lifespan into consideration of something that is already currently permitted in the city than a hard line on 10 years. I mean, it has already been part of the city for three years. The explanation of 10 years that was given to me was that was the average lifespan that we would be looking at. Any thoughts or comments from the rest of council?

President Ertel: I think this certainly is an issue that we have to look at for things that are already here. The ten-year limit on things that are here, I think we do need to take a look at that. I would suggest that we do take a look at that. We could still enact the legislation that we currently have and take a look at that. We have 10 years to look at it, but I would like to get it done within the next year. What do you think? Does that make sense?

Councilman Jaehnig: Are there any objections with the rest of council?

President Ertel: With animals that are already grandfathered in. I know exactly where you are at with your...

Councilman Jaehnig: Our intentions are not to penalize anybody that has already done the proper thing and permitted their animal and so forth. Personally, my opinion is it is something that we need to address and correct.

Elmer Williams: I would like to add...

Chief Hatten: Is there some way to identify that specific animal. Is it tattooed or anything like that from a veterinary service or something? I don't know that you can tell one serval from another.

Elmer Williams: It would be pretty tough. It is declawed on all fours.

President Ertel: Is he chipped at this point?

Elmer Williams: He sleeps right beside me.

President Ertel: Is he chipped? Does he have...?

Elmer Williams: Oh, is he chipped. I thought you said "gentle." I'm sorry.

President Ertel: No, no. Is he chipped?

Elmer Williams: No, he is not, but I could get him chipped if that is a problem.

President Ertel: That might be a possibility right there.

Chief Hatten: That would be the thing that I would be concerned about – is being able to specifically identify...

Elmer Williams: I thought about doing that.

Chief Hatten: If something happens to your serval, God forbid, you could bring another serval and we would never know it.

Elmer Williams: I could do that. If I brought him in here now, he would walk around and meet each one of you in the whole place.

President Ertel: I know. I have seen him. He is a wonderful cat.

Elmer Williams: It is the way you bring them up, too. If you would put him in the garage in a cage, it would be a different story. I kind of hate to get rid of the little guy, you know?

Councilman Jaehnig: That is not our intention.

President Ertel: No. That is not our intention for anyone. That's the nice thing about city government, it is a living, breathing document that continues to be refined and updated based on community needs, wishes and wants.

Elmer Williams: So, if I have a question or problem of where I can take him or if I can't, who do I go see? He is with me... I have a document from my veterinarian here. I don't know if I have enough copies.

President Ertel: Do you have a federal permit for that?

Elmer Williams: I didn't need to, because I checked the laws here and I got a permit as soon as I did get him. Here is the letter from my veterinarian.

Clermont Animal Hospital Inc.

David J. Stricker D.V.M

Julia B. Esposito D.V.M.

***1404 Old State Route 74
Batavia, Ohio 45103
(513) 732-1730 Fax (513) 732-6711***

September 21, 2009

RE: 3 year old Male/Neutered African Serval "Jata" Williams

To Whom It May Concern:

Out of all the exotic cats we see at our practice, the African Serval is the most sociable and easiest to treat.

I am writing today to discuss "Jata" Williams a 3 year old Africal Serval owned by Mr. Elmer Williams. Mr. Williams has many years experience with African Servals as "Jata" was not his first one.

Mr. Williams brought "Jata" to our Animal Hospital at 21/2 months of age in May 2006 for routine vaccinations and a complete physical exam. Booster immunizations were also given on June 15, and July 13th 2006 when he was also neutered and his front claws removed, then again in November 2007, and May 2008. Mr. Williams has always been a very conscientious owner and has followed through with all recommended care. "Jata" has been in 10 times in the last 3 years and his vaccinations have been kept current.

"Jata" has a very good temperament and has always been easily controlled by Mr. Williams being on a harness and leash at all times. Being aware of "Jata's" disposition he would never compromise the privilege of owning him. I truly feel that "Jata" is well loved, cared for, and a very important part of Mr. William's family.

If you have any questions or concerns regarding "Jata's" temperament or care please call my office.

David J. Stricker D.V.M.

President Ertel: I would say that if you have any issues, check with the local chief of police so we know where he is at.

Law Director Kathryn Hapner: Well, if you want to expand the 10-year period, he doesn't check with the chief.

Mayor Raizk: No, no, no. He was just talking about what is currently permitted and not permitted. Isn't that what you were asking?

Elmer Williams: Yes. I got busy this summer and did forget to renew his permit in July. As soon as I saw this, I went up. I did have a tough time getting my permit renewed. I had to go through several little things to get him renewed. I thought, "Well, I'm grandfathered in," I looked up on my board there, and I had forgot. I did get that done, so, if you guys...

Councilman Wallace: Doesn't this, though, open up a whole new can of worms for us? Does that mean that we are going to make a special addendum for every animal that we have as people filter in each month? This is my point from the beginning. It has been well documented. I was the guy who wanted to come up with a permit system to start with and go with it and not to continue it as we've got it here. I am not sure that I am prepared to vote on this, to let this go, to get this thing through, and then say, okay, next month, we are going to come back and do a special addendum for this particular animal and then next month John comes in with a boa that really is not a danger to anybody, and we'll say we'll give that one a special thing too. Do you know what I'm saying? I think we are working awful hard to ram this thing through, and I don't understand that. I'm not sure that we are prepared to handle this situation.

President Ertel: I totally understand where you are coming from and certainly....

Chief Hatten: We have three permits, and we have only had one. The way I heard you say that, we are only talking about animals that are previously owned.

President Ertel: That is my understanding, yes.

Councilman Jaehnig: That is correct.

Councilman Wallace: The legislation that is in front of us does not address the permit system. It is a blanket...

Councilman Jaehnig: No. It grandfathered those that currently...

Councilman Wallace: Except those that are grandfathered in on permits. That means we have three animals that are good and all of the rest of them are no good...period.

Councilman Jaehnig: Well, we do have an issue that Mr. Hunter brought up that I was going to bring up once we got to this. We do have animals that are listed on this new ordinance that are not listed on the ordinance. So, on the old ordinance they were not required to be permitted. Under the new ordinance, they would not be allowed. So, we do have an issue with regards to animals that are currently in the city legally that are not covered in this. That was another issue that was brought up that is not resolved.

President Ertel: Well, if we get to this point and we feel like we need a little bit more time to do this, and so on and so forth, we can vote down the third reading and still take it back...

Mayor Raizk: Just postpone.

Elmer Williams: I just have one more question. Would we have to get another permit starting in January if this is passed? The way I read it, you have to come in and get another permit for the next 10 years, or is the permit you have now okay?

President Ertel: Once you have your current permit, it is good for 10 years.

Elmer Williams: Okay.

Councilman Jaehnig: Well, they are looking to have updated information as of January 1, but I don't believe they were planning on ...

Elmer Williams: Okay. I don't care about that myself. I just didn't want to come February and find I didn't have a permit or something. Okay. Is there anybody I would... I would gladly bring Jata up to meet any of you guys if you wanted to. One of the judges asked me to bring him up to court one day even. I would be glad to bring him up and meet any of you if you have any questions.

President Ertel: Well, maybe I speak for the rest of the councilpersons, they would probably call you if they would like that...

Elmer Williams: That is fine. You can come to the house and I could bring him out. Thank you.

President Ertel: Thank you. If there are any other people wishing to address, come forward.

Chris Bauer: My name is Chris Bauer. I live at 33 Eastridge Dr. in Amelia, Ohio. I actually was not going to talk because I wasn't aware of the lifespan and the way that had been set in. I just wanted to provide some information on the lifespan of some of the animals that are under the ban. Some of the animals under the ban have about the same life expectancy as a human – one of the examples being the crocodilians. Some snakes have been recorded to live in excess of 40 years. The record, I believe, is a snake species, which I don't know if you need a permit for now or not or if they are in the city legally or illegally right now, would be the ball python, which has lived to be very close to 50 years. So, you are not just dealing with animals that are going to be gone in 10 years. You are dealing with animals that will be here when your children are in these seats also. It is not something that in 10 years is just going to go away like that. It is something that really should be thought about. That is all I had to say.

President Ertel: Very good. Thank you for that information. And I thought dogs lived a long life. Is there anyone else who would like to discuss on this subject. Thank you so much for expressing your opinions. We appreciate it. Now, we will get through this. You are welcome to stay around. If you would like to leave, it is certainly up to you. Okay. Now, Mr. Mayor?

Mayor – Mayor Raizk: I really don't have a report tonight, but I would just kind of like to give a shout-out to Harry Jay McVey who was on the front page. Congratulations to him for being inducted into the Clinton Massie Athletic Hall of Fame. A personal note on that, the fellow on the far left hand was named Roger Reveal. I grew up watching Roger play basketball, sitting on the bench, when I was a little kid. He was a fine man and a fine basketball player, and I wanted to publically comment and congratulate him. That was a good job by everyone there. That is all I have.

President Ertel: Thank you, Mr. Mayor. Committee reports. Asset, Acquisition and Use?

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

President Ertel: Thank you. Mr. Auditor?

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

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: Yes. We have two items. The first item is an ordinance making miscellaneous transfers.

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

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4876 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance making supplemental appropriations. I do want to just make a note. The two supplemental are to the direct deduction account, which also affects two of the transfers. What that is, that is where we pay the county to handle our fund. They automatically take it out of our fund. That is what the direct deduction is.

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

Motion passed

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4877 passed as read.

Councilwoman Mongold: I would just like to remind council that starting next week we will be having budget meetings. I encourage you to attend these meetings because that is where you really get the information from the different departments. That is all, Mr. President.

President Ertel: Thank you very much. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Streets Committee – In the absence of Chairperson Peterson, Councilman Wallace: We have a second and third reading, as we started last meeting. We have a traffic issue on Nunn Avenue. We are trying to resolve that by putting a stop sign at Nunn and Kay.

A motion was made by Wallace and seconded by Jaehnig to suspend the rules and give the second and third reading on the ordinance Amending the Traffic Control Map and the Traffic Control File, and Declaring an Emergency (Stop sign on Nunn at Kay Dr.), by title only.

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4878 passed as read.

President Ertel: Thank you so much. I know that traffic sign is definitely needed there.

Councilman Wallace: That is all I have.

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 urge the citizens to please recycle, use the blue bags, and help save our landfill. That is all, Mr. President.

President Ertel: Thank you. Wastewater/Sewer?

Wastewater/Sewer Committee: Chairperson Mark McKay: Thank you, Mr. President. We do have one item on our agenda tonight. This has to do with the Kautex property and moving along in our project to acquire that property. We need to enter into a Task Order Addendum for the Master Services Agreements with Hull & Associates. We have been awarded a nice-size grant for which we have to put up some money, but only a small portion, to perform this Phase II Environmental Study by Hull & Associates. Are there any questions?

A motion was made by McKay and seconded by Popp to give the first reading only on a resolution Authorizing the Mayor to Enter into a Task Order Addendum to the 2006 Master Services Agreement with Hull & Associates, Inc. for the Performance of a Phase II Environmental Study and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

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

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

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

President of Council declared Res. No. 2178 passed as read.

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

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairwoman Leilani Popp: No report, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: We have two items, Mr. President. Based on the testimony earlier, I believe we have at least one, if not two issues, that need to be resolved in regards to this ordinance.

Chairperson Rob Jaehnig requested that the third reading 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, as amended, be postponed until the next regular meeting of City Council.

Councilman Jaehnig: We will schedule a safety committee meeting between then and there. If we can, we will maybe tack it onto a budget meeting if there is a time.

President Ertel: Okay. That sounds fine. So, we can expect the third reading at the next meeting.

Councilman Jaehnig: Hopefully, yes. The second item we have is renewing an agreement that we have with Adams Township for fire and emergency ambulance services. It is basically the exact same contract that we had with them last year, with no

changes or increases. The police and fire department assure me that this is well within their ranges and well within their budgets based on how it is currently being charged.

A motion was made by Jaehnig and seconded by Wells to give the first reading only on a resolution Authorizing the Mayor to Enter into an Agreement with the Board of Trustees of Adams Township for the Provision of Fire and Emergency Ambulance Service for 2010-2011.

Motion passed

Director of Law read resolution by title only.

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

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2179 passed as read.

Councilman Jaehnig: That is all, Mr. President.

President Ertel: Okay. Thank you. Downtown Revitalization Committee?

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

President, but look for an exciting town evening on October 31 downtown.

Councilwoman Mongold: May I make one comment.

President Ertel: Sure.

Councilwoman Mongold: While we have so many individuals in the audience from out of Wilmington, we also... There are letters going out to the businesses about the holiday events downtown, and all of the downtown will be having open houses on November 27 and November 28. We do have a big Holidazzle parade, so we would love to have you come back and visit our city that weekend.

Paul Hunter: Bring your animals.

[Laughter]

Councilwoman Mongold: Thank you.

President Ertel: Thank you. Parks & Recreation?

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

President Ertel: Thank you. Service Director?

Service Director- Service Director Larry Reinsmith: No report.

President Ertel: Thank you. Safety Director?

Safety Director – Mayor Raizk: No report.

Reports:

A motion was made by Wells and seconded by Jaehnig to approve the Auditor-Treasurer 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.

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

Matthew Fille: 33 Eastridge Dr. Amelia, Ohio. Am I allowed to ask questions to the council?

President Ertel: Sure. As long as you don't get too lengthy.

Matthew Fille: Five minutes or three minutes – whatever you would like me to stay to. My question, basically, to the council is, you basically have addressed everything with the ban, but do you have any plans for where these animals are going? Who is going to be the one – I don't believe the Police Chief is going to be the one to want to determine whether a snake is a venomous snake or a harmless black snake that is native around here. That is, aside from our beliefs on what and what shouldn't be kept, I believe that is an even larger issue of who is going in to remove these animals. Also, where are they going? Based upon what you have in legislation now, the way I read the legislation, I could get a small, basically newborn python, and as soon as it hits three feet, it is illegal. Before it is three feet, for the first three months I own it, it would be considered legal. No offense, but that puts a lot of pressure on us and it would put a lot of pressure on Tim Harrison, that now we are getting the calls in for animals once they reach a certain size. Why not, if you are going to do those species that attain, stuff like that to help out the organizations that are going to have to come out and help you guys out with the animals. In order for us to come up here, we have to know what we are dealing with and what we can expect. Thank you.

President Ertel: I understand what you are saying. In some cases, it is either you do or you don't. It leaves a pet, an animal, with no place to go, so they would have to look for another home and so on and so forth. I understand your comment.

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

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk