

Wilmington City Council met in special session on Monday, June 20, 2011, with President Fred Ertel presiding.

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

Assistant Chief Duane Weyand was also present.

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

President of Council – Fred Ertel: Moving right into business, Finance Committee.

Finance Committee – Chairperson Sandy Mongold: I am going to ask that we go ahead and suspend the rules and regulations and give the second and third reading on an ordinance making supplemental appropriations. It is important that we get this passed to meet the deadline of the grant.

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; Mead, yes; Mongold, yes; McKay, yes. In the absence of Director of Law, President Ertel 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; Mead, yes; Mongold, yes; McKay, yes. Motion passed.
President of Council declared Ord. No. 4969 passed as read.

Streets Committee – In the absence of Chairperson Peterson, Councilman Wells:

A motion was made by Wells and seconded by McKay to suspend the rules and give the second and third reading on the resolution Adopting Preliminary Legislation for the Replacement of a Bridge over Lytle Creek in the City of Wilmington Located on US 68 0.26 Mile North of the Southern Intersection with SR 134 and Declaring an Emergency . Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes. President Ertel read the resolution by title only.
A motion was made by Wells and seconded by Wallace to pass the resolution as read. Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes. Motion passed.
President of Council declared Res. No. 2243 passed as read.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: We have two items. The first is the third and final reading on an ordinance that is closing the loophole on the tax situation for gambling. Are there further discussions?

A motion was made by Jaehnig and seconded by McKay to give the third reading only on the ordinance Amending Codified Ordinance 171.03(a)(1) to Include in the Definition of Income Subject to the Imposition of City Income Tax Pursuant to 171.03 Any Amount Over \$5,000 that is Won by Lottery, Gambling, Sports Winnings or Other Games of Chance.
Motion passed
President Ertel read ordinance by title only.
A motion was made by Jaehnig and seconded by McKay to pass the ordinance as read. Motion passed.
President of Council declared Ord. No. 4970 passed as read.

Councilman Jaehnig: The second item, and I request that we move to the second and third reading, is the change in the transient vendor regulations.

A motion was made by Jaehnig and seconded by McKay to suspend the rules and give the second and third reading on the ordinance Rescinding Codified Ordinance Chapter 713 and Adopting New Ordinances in Chapter 713 Regarding Transient Vendors in the City of Wilmington.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes. President Ertel read the ordinance by title only.

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

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

President of Council declared Ord. No. 4971 passed as read.

Councilman Jaehnig: That is all we have, Mr. President.

President Ertel: Okay. Let's move to Safety Committee? Rob?

Safety Committee- Chairperson Rob Jaehnig: We have three items in safety.

A motion was made by Jaehnig and seconded by McKay to suspend the rules and give the second and third reading on the resolution Authorizing the Mayor to Enter into a Contract to Provide Fire and EMS Services to Washington Township (July 1, 2011 – June 30, 2016).

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes. President Ertel read the resolution by title only.

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

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

President of Council declared Res. No. 2244 passed as read.

Councilman Jaehnig: The second item is the second and third reading on ordinance authorizing the contract without bidding for the replacement of equipment for the operation of the doors and intercom system for our Police Department.

A motion was made by Jaehnig and seconded by McKay to suspend the rules and give the second and third reading on the ordinance Authorizing a Contract Without Bidding for Replacement of Equipment for the Operation of the Doors and Intercom System Within the Secured Facility of the Wilmington City Police Department, and Declaring an Emergency.

Roll call: Jaehnig, yes; Wells, yes; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes. President Ertel read the ordinance by title only.

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

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

President of Council declared Ord. No. 4973 passed as read.

Councilman Jaehnig: The last item I need to ask to have amended first. Some additional trade names for bath salts have been added to the legislation.

A motion was made by Jaehnig and seconded by Mongold to amend the legislation to include additional trade name.

Motion passed.

Legislation amended.

A motion was made by Jaehnig and seconded by Mongold to give the first reading only on the ordinance Prohibiting the Manufacture, Possession, Use, Exchange, Sale, Distribution of Synthetic Cathinones (More Commonly Known as "Bath Salts") and Synthetic Cannabinoids (More Commonly Known as K2, K3, Etc.) and Other Synthetic Drugs and Their Derivatives and Substituted Forms and Declaring an Emergency, as Amended.

Motion passed

President Ertel read ordinance by title only.

A motion was made by Jaehnig and seconded by Mongold 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; Mead, yes; Mongold, yes; McKay, yes. Brian Shidaker read the ordinance by title only.

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

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

President of Council declared Ord. No. 4974 passed as read.

Councilman Jaehnig: I would like to thank my fellow council members for assisting us in moving so quickly on that. For clarification, as this is an emergency, is that effective immediately now?

Clerk Laura Curliss: It is.

Councilwoman Mongold: Go for it, Duane.

President Ertel: Very good.

Councilwoman Mongold: And will you make sure the newspaper knows for tomorrow morning?

Councilman Jaehnig: That is all we have today, sir.

President Ertel: Okay. Thank you very much. I would like to thank everyone for coming. Any comments or question?

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

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk