

Wilmington City Council met on Thursday, July 7, 2011, with President Fred Ertel presiding.

Roll Call: Jaehnig, present; Wells, present; Wallace, present; Mead, present; Mongold, present; McKay, present. Vacant seat in the 2<sup>nd</sup> Ward.

Assistant Chief Duane Weyand was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Wells and seconded by Mead to approve the minutes of the last regular meeting, June 16, as received.

Motion passed.

Minutes approved as received.

A motion was made by Wells and seconded by Mead to approve the minutes of the last special meeting, June 20, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: At this time, we would like to invite Judge Carey and Loren Stuckert for the swearing in ceremony.

Judge Carey swore in Loren Stuckert, Councilmember, 2<sup>nd</sup> Ward.

[Applause]

President Ertel: Very good. Welcome, Loren. At this time I would like to call upon Ms. Cindy Peterson for a little celebration of your recognition.

Mayor Raizk: This is kind of bittersweet for me and for all of us and for the whole City, really. Cindy Peterson has done an outstanding job representing the city in the 2<sup>nd</sup> Ward. She has always been open. She has been forceful. She has been really an outstanding councilmember. She has listened to everybody. She has worked with everyone. All of her constituents...she never turned a deaf ear. Cindy, we want to recognize your service to council. I have a plaque for you.

*In appreciation to Cindy Peterson, Councilmember 2<sup>nd</sup> Ward.  
For Loyal and Dedicated Service to the  
Wilmington City Council and the City of Wilmington.  
Her term of service January 1, 2004, to June 20, 2011.*

Thank you.

[Applause]

Mayor Raizk: You never got to look at this very much because it was always facing the other direction, so we want to give you your name badge from your council days. That is for you as well.

Cindy Peterson: Thank you so much.

[Applause]

President Ertel: Cindy, thank you so much for your service. We appreciate it. Moving into additional business, I would like to have the 2<sup>nd</sup> public hearing on the 2011-2012 CDBG programs rescheduled to July 21 at 7:30 in the City Council Chambers, 69 N. South Street, Wilmington, OH. Also, a notice of public hearing on a request for rezoning, which will be on August 18 at 7:30 in the Council Chambers here at 69 N. South Street, Wilmington, Ohio concerning the rezoning of 281.312 acres of land

located on S.R. 134 and Davids Drive from R-1 Single-Family Residential and R-3 Multi-Family Residential to I-1 Industrial, the property of Kelly A. Tolliver, Trustee of the Kelly A. Tolliver RLT, dated 3.12.97 and Kirby L. Tolliver, Trustee of the Kirby L. Tolliver RLT, dated 3.12.97. A plat map of which said property is available for viewing in the Office of the Director of Public Service, 69 N. South Street, Wilmington, OH 45177. You are all certainly invited to that. I do have accompanying that, a letter from the Wilmington Planning Commission recommending to council for the approval of the rezoning. They voted unanimously for that.

President Ertel: At this time, I would like to recognize the Community Fellow Presentation. If they would come forward please.

Lori Williams: My name is Lori Williams and I am directing the Clinton Community Fellow Program, of which these ladies are the second year fellows. I will give them a chance to introduce themselves. I do want to just publically thank, though, the people who have been supportive of this. The Chamber, obviously, we are sharing space with them. Chris Schock and the Regional Planning Commission have played a major role. Leadership Clinton as well has helped. We are thankful also to the businesses that have funded their stipends. Also, there were some individuals that were involved in their support as well. I would like for them to introduce themselves and then speak a little bit about their experience and who their partners are. They have business partners and not-for-profit partners. Hopefully, you will find that interesting.

Amanda Satchwell: I am Amanda Satchwell. I grew up here. My business partners are with South Street Gallery, John Schum. We are celebrating our one-year opening anniversary. With that, we are trying to bring in more students. We are rethinking marketing strategies and also just trying to market to a broader region. I am also working with the South Street Coffee House, the brand new coffee house that just opened up. Again, I am working with marketing, social media outlets and just sort of establishing a great business and doing some research for him that way. I'm also working with non-profit groups. I am working with the Murphy Theatre. We're working on establishing a ticketing system where they can better keep track of memberships and better harness memberships and implement an on-line ticketing system. We are also working on event planning. I'm also working at Community Care Hospice, which is a non-profit. I will working with marketing strategies and establishing themselves as a community presence like they already are. As for me, I am at school at Miami University of Ohio. I am studying history and English. Although I am not a marketing major, I may be one day.

Dessie Buchanan: I am excited to continue my work in the community through the Clinton Community Fellows Program. My business partners are Cape May Retirement Village where I am working with a senior leadership project – developing that through the fall through the Will program. I am also working with Kim's Classic Diner in Sabina who is under recent new ownership. I am helping them do some event planning and marketing, really kind of re-introducing the diner to the community and throughout Clinton County. We have some really great car cruise-ins and car shows coming up. My non profits are Leadership Clinton. I am working to help promote their Dinner in the Fields Event, which happens in August. I am also continuing my role as one of the Executive Directors with the Clinton County Farmer's Market. Also in the Fellows and personal realm, I am continuing to work with several great community partnerships through the Clinton Fresh network. Those include the County Commissioners, the Regional Planning Commission, CIFT and Wilmington College.

Kelsey Swindler: My name is Kelsey Swindler and I'm a senior English major at Wittenberg University in Springfield, Ohio. This is my second summer with the Clinton Community Fellow Program. It has been a wonderful summer already and a great experience and I am excited to continue working on different projects with local businesses and nonprofits. This year I am working with Orange Frazer Press for a second summer and working with them on Social media, particularly with their Custom Book Publishing and working on helping to pitch them to a more national market and working as well with The Patterry, helping them with event creation support, customer surveying and social media. I'm also for my nonprofit matches working with Clinton County Open Lands, helping them with social media but also with farm monitoring, farm monitoring

reporting and those kinds of things, and then as well with the Peace Resource Center at Wilmington College, helping them publicize a book that they have recently published.

[Applause]

President Ertel: Also, too, Lori, thank you for all of your hard work. This is wonderful. This completes my portion of it. Mr. Mayor?

Mayor – Mayor Raizk: Thank you, Mr. President. I don't have any official business tonight other than we already recognized Cindy. Again, Cindy, thank you for all your hard work and service. I think the Community Fellows Program is one of the most outstanding things that we have in the community – bringing our young people back to be able to share their expertise and launch them as they are getting their education but being able to do the hands on and do it right here in their community. I think it is just outstanding. I hope it continues for a very, very long time. I do need to say, since our last meeting, Wilmington lost what I consider a great servant. Bob Babb passed away. Bob, was not only a member of this community and did business in this community, but he had a long service to the citizens of Wilmington at the Wilmington Fire Department. I don't think anyone has spent that much time and devoted that much effort. He was given a heroes funeral. He so richly deserved it. Our thoughts go out to his family, his son Tom and his other son. I went to school with Tom. We grew up together two streets apart. We were in the same class for many, many years. I knew Bob very, very well. Wilmington lost a great citizen and I just wanted to make mention of that. He will always have that fire uniform on as far as I'm concerned. I just want to say how much we are going to miss him. Thank you. That is all I have, Mr. President.

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

Asset, Acquisition and Use –Chairperson Sandy Mongold: I have nothing to report, Mr. President.

President Ertel: Thank you. No Auditor.

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

President Ertel: Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We do not have any legislation tonight. We did have a Finance meeting this week and we are going to start the process of the budget review for 2012. You do have a list of dates in front of you for schedule for the various departments to start meeting.

President Ertel: We want to get a jump on it this year. This will give an excellent opportunity for the committees of council to work directly with the departments in the City to see where the budget should start and where it goes. Are there any monies we can possibly wring from the budget of 2011 and position ourselves for 2012? That is the purpose. Thank you. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Streets Committee – Chairperson Wells: No report, Mr. President.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: No report, Mr. President.

President Ertel: Okay. Wastewater/Sewer?

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

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: No report, Mr. President.

President Ertel: Thank you. Safety Committee?

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

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – No report, Mr. President.

President Ertel: Thank you. Parks & Recreation?

Parks and Recreation Committee - Convener Bob Mead: No report.

President Ertel: Excellent. Thank you. Mr. Service Director?

Service Director- Service Director Larry Reinsmith: No report, Mr. President.

President Ertel: Thank you. Safety Director?

Safety Director – Mayor Raizk: No report, Mr. President.

Reports:

A motion was made by Mongold and seconded by Jaehnig to approve the Income Tax Report – June 2011, as received.

Motion passed.

Reports accepted as received.

President Ertel: I would call your attention to, with the inclusion of Loren Stuckert, now as councilperson, these are how the council committees are laid out. They are in yellow. Don Wells has graciously volunteered to move to Chairman of the Streets Committee and then Loren will then become a member. Everyone has this and now we know exactly what the committees will look like.

Councilman Wells: I would like to say something, Mr. President. That fax number on there, I no longer have that, so you can scratch that out.

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.

Paul Hunter: 200 Randolph Street. I would like to address the zoning, one of my favorite hobby horses. In my opinion, all of these statements are... The sign portion of the zoning code is not being enforced by the enforcement office due to one or all of the following reasons: (1) The code is not legally enforceable. That's part of the problem that has been brought up. (2) The enforcement officer declines or arbitrarily chooses not to enforce the code as written. (3) The enforcement officer is not allowed to enforce the code. Having said that, it is my opinion, law that is not enforced reveals a lack of concern by the lawmakers and worse, degrades respect for all laws. If you have laws and people ignore them without punishment, then they have no respect for the laws. A very similar situation exists with the yard and garage sales. For what it is worth, I would respectfully suggest that all sign and yard sale law be repealed. Then, if council deems the effort worthy, rewrite the entire chapters on signs and yard sales in a manner that is more fair and more easily enforced. The important point of this is we have a two-tier thing. We have law-abiding citizens paying their permit fees, going to Board of Zoning Appeals to get variances on various codes. Then we have another group that ignores the law freely.

Repealing it is better than leaving it as it is, a dual system of enforcement. People doing the right thing and wasting their money and looking across the street and seeing other people who are not doing that. In the last picture that is going around, we did something

right in this case. After ten years of pushing and pulling on the yard over in my neighborhood. Everyone worked together and we got that job done. You look at that picture and you see a huge improvement. I want that picture back, by the way.

[Laughter]

Paul Hunter: That's a culmination of ten years of effort. So, the code is enforceable, at least in this case. It amazes me, and I'm not in the inner sanctum, but why it would take ten years of tugging and pulling to get that done, but in the end it got done. The code, at least for this part of the code enforcement, is enforceable and does not need to be redone. That is the building maintenance code. Thank you.

President Ertel: Thank you very much, Paul.

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

Scott Kirchner: 245 S. Mulberry Street. I want to take this opportunity first to congratulate Loren Stuckert, Councilman Loren Stuckert, on stepping up into public service and welcome to council. It is good to see citizens step up. I also want to say, as a City Councilman from 2005 through 2007, I had the opportunity to serve with Councilwoman Peterson. I just wanted to say, on the record, that it was an honor to serve with her and I feel that she served this City as a whole and her ward extremely well, setting a high bar for all of us that have been in public service or are in public service. She definitely believed in connecting with her entire community. I was very impressed and honored to have served with Cindy. I just wanted to say that on the record.

President Ertel: Thank you.

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

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

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

Motion passed.

Council adjourned.

ATTEST:

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President of Council

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Clerk