

Wilmington City Council met on Thursday, January 17, 2008, 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.

A motion was made by McKay and seconded by Peterson to approve the minutes of the last regular meeting, January 3, 2008, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: I would like to announce a public hearing to review the extension of hours for the Taxi Service, and that meeting will occur on February 21, 2008, at 7:30 p.m. in Council Chambers. Therefore, anyone wishes to attend, please, February 21 at 7:30 p.m.

Also, I have Notice to Legislative Authority from the Ohio Division of Liquor for transfer from Circle Drive, Inc. dba Circle Drive-Thru, 78 E. Sugartree Street, to Naypak, LLC, 78 E. Sugartree Street, Wilmington, Ohio 45177. This will be on file at the office of the Clerk of Courts if anyone is interested.

At this point, that concludes my portion of the Agenda. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. I do not have a proclamation for you because the ladies have not brought it to me yet, but we will declare next week as Beta Sigma Phi Week in Wilmington and Clinton County. We will provide them with a proclamation saying such, but we will make that announcement.

Do we have a scout here tonight? Will you stand and introduce yourself?

Tyler Stewart: I am Tyler Stewart and this is my Dad, Kevin Stewart. I am trying to earn my license for Scouts.

Mayor Raizk: Welcome.

Tyler Stewart: Thank you.

Mayor Raizk: Welcome. We will try to get you a copy of the Agenda, or did you get one already.

Tyler Stewart: I got one.

Mayor Raizk: Did you get one? Okay, great. Now, as you have all been eagerly waiting, it is time for the State of the City.

Mr. President, Members of Council, Distinguished Elected and Appointed Officials, and Fellow Citizens:

After 56 years, David Adair Furniture is closing. It is hard to imagine Wilmington without the David Adair Company. I have spoken about Dave previously in these pages as he really brought the concept of fine living to Wilmington. His elegance, attention to detail and community vision have always set the standard. Now his business ably carried on by Phil Floyd and the staff is closing and will be sorely missed. But the David Adair legacy will live on and continue to be an inspiration to all of us. The generous gift of the Little Giant

property to the city by the Adair family to preserve a part of our past will just add to this legacy. But change is inevitable and change is everywhere.

I was just in New York City. One of my favorite parts of town is the Soho District in lower Manhattan. Soho had quaint older buildings of three to five stories that once housed trendy independent shops and cutting-edge designers. Whatever styles and looks you saw in Soho, everybody elsewhere ended up wearing a year and a half later. Today the quaint buildings are still there, but they are occupied by the same stores you would find in most any mall in America. Unique has been replaced by familiar. Change is inevitable and change is everywhere.

How we deal with change will define us as a community. This is difficult because no one likes change. We like the familiar. If we are to, in the current parlance, “separate ourselves from the pack” we need to determine and promote what makes us unique. With the economic skies darkening somewhat, we will be challenged like never before, to promote ourselves, our “uniqueness,” especially in the area of job recruitment and retention, commercial and retail developments, and residential opportunities. But I am confident that we can meet these challenges and indeed “separate ourselves from the pack.”

Over the past few years, I am proud of the way our community has come together to pull off some amazing events. Wizardry in Wilmington, also known as Harry Potter, attracted record crowds and was most certainly unique. The Holidazzle Parade, a first for Wilmington, was an outstanding success and is already creating buzz about next year. There are plenty more examples too numerous to mention.

This fall the community came together and passed the Wilmington City Schools tax, the MRDD levy, and the Senior Services levy. This was extremely important. Good schools, properly funded, are critical to our efforts to attract and keep good jobs and grow our community. Taking care of our seniors and others that need our help says a lot about the character of Wilmington. Because we have proven we can come together, we look forward to our Bicentennial in 2010, with anticipation and excitement.

The state of the city is safe, secure, and financially sound. 2007 was a momentous year for the City of Wilmington and I wish to thank those that made it happen. First, thanks to council members, past and present, for their hard work and tireless commitment to Wilmington. Special thanks go to David Hockaday, retiring after 29 years of service. His counsel was invaluable, his insight keen, his advice sobering and his friendship cherished. I also wish to thank the Auditor, Treasurer, and Director of Law for their assistance and willingness to work together with the administration to tackle the many challenges we have faced. Finally, I wish to thank all the employees of the city for their dedication, hard work, and professionalism. It is you that make Wilmington truly unique and it is time you get some credit.

As I said, 2007 was a momentous year. Some of the highlights include:

- The annexation of DHL. The citizens of Wilmington finally will be compensated for their investment to the Airpark
- Completion of Davids Drive. We now have connectivity between SR134 and Rombach Avenue opening up the city’s major industrial/commercial corridors.
- Bypass/Relocation of SR73. Construction of Phase 1 is completed with next phases on schedule. We are excited about this critical component of our traffic control plan.
- Completion of our Downtown Grant. Over 18 properties were rehabilitated and infrastructure improvements made with \$1.2 million of private and public investment
- Refinancing of our water bonds. This saved the citizens hundreds of thousands of dollars in interest plus provided new monies to replace aged downtown water lines and for the southern loop.
- Purchase of Engine 2 for the Fire Department. This was accomplished with grants and financing from the Department of Agriculture.

These are just a few of the many accomplishments of 2007. While reflection on the past year is instructive, we must continue to move forward in 2008. Here are a few of the agenda items we plan to pursue this year:

- Economic Development Director. The city has many special and unique advantages that require our own representation if we are to be competitive in job creation and retention.
- Technology Infrastructure. We have done a great job in providing traditional infrastructure i.e. roads, water, sewer, etc. But what technology infrastructure will we need to attract 21<sup>st</sup> century companies? We need to research and invest in this critical component of our infrastructure.
- Strategic Partnerships to further our economic development. We will pursue new cooperation with agencies such as Clinton County Regional Planning to promote good growth and development.
- New investment in street repair and maintenance. With anticipated new revenue streams available, we must significantly reduce our deferred maintenance of streets and invest in this important department.
- Police Department. Our city has grown tremendously. We must be sure we are adequately staffed to protect our citizens.
- Curbs, gutters, and street appearance. On many of our main thoroughfares, the curbs have disappeared. Not only is this unsightly, but it is unsafe. Since these are “gateways” to our city, it gives a poor presentation. This sounds simple, but will be a larger undertaking and a significant investment.
- Completion of the update to the City’s Master Plan. This essential component needs to be done in the first half of 2008.
- Legislative Changes. We have many nuisance items such as junk cars, trailers, signage, etc. that need additional legislation so that effective enforcement is possible.

We will all need to work together to accomplish these goals and meet the additional challenges we will encounter in the coming year.

Change is inevitable and change is everywhere. But I believe in this community and its people. I have seen first-hand how we can come together and achieve great things. It is this spirit that has sustained us for 200 years. It is this spirit that “separates us from the pack.”

Thank you.

[Applause]

Mayor Raizk: That is all I have, Mr. President.

President Ertel: Okay. Thank you very much. Committee Reports: Asset, Acquisition and Use.

Asset, Acquisition and Use –Chairperson Sandy Mongold: We also have in the audience tonight a new class member of Leadership Clinton, if she would like to introduce herself and where she is from.

Robin Allen: I am Robin Allen. I was not raised in Wilmington, [inaudible for transcription] my life in the military, but I work currently at Quality Quaker Management with seniors and mentally disabled residents, and I am glad to be here.

President Ertel: Thank you.

Mayor Raizk: Welcome.

Councilwoman Mongold: That is all.

President Ertel: Okay. Mr. Auditor?

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

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have two items tonight. The first item being an Ordinance Making Supplemental Appropriations. I know that it is the second meeting of the year to have supplementals, but we did have the majority of the items on here that go to system upgrade, which we knew about last year. We asked that they not be put in the budget because we were not sure of the exact timing and the exact amount of money. We did know it would pass through, but we were just waiting on the dollars. So that has to be done. We have no choice. We have to upgrade our systems with CMI. The other items are items we knew were going to come also, like the Flex Bank Fees; we just didn't know the amount until the first of the year, so that is why we have the supplementals.

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 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. 4741 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance Establishing a New Fund. This is for the F.O.P. Continuing Professional Training Fund.

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

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. 4742 passed as read.

Councilwoman Mongold: We had a very productive meeting on Monday evening, an information session for the new council members. We are going to possibly hold another one the Monday before the first meeting in February...I had it here and lost it...February 4. The time will be announced later. It is to continue out topic of conversations.

President Ertel: Okay. Very good.

Councilwoman Mongold: That is all. Thank you.

President Ertel: Okay. Thank you, Sandy. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Street Committee – Chairperson Peterson: A few things. The legislation that is on the agenda, we are going to continue to postpone that. I anticipate we will be ready to move forward on that on the first meeting in February. We do have a followup. We had a

meeting last week with regard to downtown parking, and there is a followup meeting on January 30 at 6 p.m. in the Community Room. On a related note, as Chairman of the Streets Committee, I am excited about seeing the references to streets, curbs, and gutters in the State of the City. You knew that I would be very happy. That is certainly in alignment with our needs as well. That is all, Mr. President.

President Ertel: Okay. Thank you. Solid Waste and Recycling?

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

President Ertel: Okay. Wastewater/Sewer.

Wastewater/Sewer Committee: Chairperson Mark McKay: I have no report for Wastewater/Sewer, but I would like to take just a moment to introduce a couple of folks that joined us that are near and dear to me – my wife Tammy and my grandson Archer Glenn McGuire. That is all I have, Mr. President.

President Ertel: Okay. Thank you and welcome. Judiciary Committee?

Judiciary Committee: Chairman Mark McKay: We do have one ordinance, Mr. President. This is an ordinance establishing video service provider fees of 3% to be paid by the video service provider offering the service to the city and authorizing the Mayor. Are there questions?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Establishing a Video Service Provider Fee to be Paid by Any Video Service Provider Offering Video Service in the City; Authorizing the Mayor to Give Notice to the Video Service Provider of the Video Service Provider Fee; and Declaring an Emergency.

Motion passed

Director of Law read ordinance 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 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 McKay and seconded by Popp 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. 4743 passed as read.

Safety Committee: Chairperson Don Wells: Mr. President, where it says “Safety Director” that should be under Safety Committee, so we are going to have tonight three readings on a resolution Authorizing the Law Director to Commence Legal Proceedings. Are there any questions or discussion?

A motion was made by Wells and seconded by Peterson to give the first reading only on A Resolution Authorizing the Director of Law to Commence Legal Proceedings.

Motion passed

Director of Law read resolution by title only.

A motion was made by Wells 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 Wells 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. 2061 passed as read.

President Ertel: Very good, Don.

Councilman Wells: That is all for tonight.

President Ertel: Thank you. Downtown Revitalization?

Downtown Revitalization Committee - Convener Sandy Mongold: The CIC is meeting in the morning to elect officers, just as an update. We have some new committee members on Main Street for next year. For the Main Street Program, Mary Kay Vance is going to be the Chairman/President or Main Street Chair. I am going to be the Promotions. Kevin Oates will be Design. Chris Schock is joining us as Organization Chair. Debbie Stamper is Economic Restructuring. We will be electing officers of CIC in the morning. Earlier this evening, just as an update, the Promotions Committee met, and we have planned events for this year that are going to be a lot of fun. We are going to have some concerts downtown, and we are going to bring the Brown Bag Series back, now that the renovations and repairs are completed on the marquee, so we will be doing some Brown Bag Lunches again. There will be a lot happening downtown. Thank you.

President Ertel: Thank you. Parks and Recreation Committee?

Parks and Recreation Committee - Convener Mike Wallace: We have a couple of housekeeping things [inaudible for transcription]. If you all recall, we are still trying to work on this tennis court project and get it right. Some time ago, we passed a resolution for the Mayor to sign for this land to be a gift from the school district to the city, and it can't work that way through some legal rings. We have to rescind that ordinance and then go back and do another one where we end up paying \$100 for the property [inaudible for transcription]. Really, it is just a couple of little minor things we have to try to get done for this property.

President Ertel: Couldn't you have driven a better deal than that?

Mayor Raizk: You want me to drive a better deal than that.

[Laughter]

Councilman Wallace: Are there any questions?

A motion was made by Wallace and seconded by McKay to give the first reading only on A Resolution Rescinding Resolution No. 2022 Accepting a Gift.

Motion passed

Director of Law read resolution by title only.

A motion was made by Wallace 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 Wallace 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. 2059 passed as read.

Councilman Wallace: Okay. The second phase of that then we would like to go back and create a resolution for the mayor to authorize purchase of this acreage for \$100.

A motion was made by Wallace and seconded by Peterson to give the first reading only on A Resolution Authorizing the Mayor to Purchase 6.925 Acres of Real Property from the Wilmington City School District for \$100 for the Construction of Tennis Courts and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

A motion was made by Wallace 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 Wallace 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. 2060 passed as read.

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

President Ertel: No snow.

Service Director Reinsmith: No snow, [inaudible for transcription]. We're in pretty good shape all around the city. I would like to mention that the Mayor's office was pretty busy today in putting this official report together, and a lot of people didn't get to wish Laura Curliss a Happy Birthday today. We would be remiss if we did not recognize her.

[Applause]

Clerk Laura Curliss: Well, thank you very much.

Service Director Reinsmith: That is all, Mr. President.

President Ertel: Very good. Thank you.

Safety Director – Nick Babb: Twenty-nine?

Clerk Laura Curliss: Yes, that's it.

Safety Director Babb: I have to work with her. We seem to have a new council member here. Are you going to introduce him?

Councilman McKay: I already did.

Safety Director Babb: You already did? I was studying the Agenda or something. We took bids...If council will recall, back last fall we passed a resolution to bid Engine 2, our 35-year-old American LaFrance, so we didn't get any bids. We are going to try maybe e-Bay and try to sell it on that maybe. The Safety Committee meeting is next Wednesday. It is an important meeting. There are a couple of important topics – police cars and personnel. For those council people not on Safety or who cannot make the meeting (you all are invited, of course), I would encourage you to stop down and see our Assistant Chief Police Weyand. He has an excellent presentation on the status of where we are at with our police cars right now, the mileage and stuff. I would really encourage if you can't make the meeting, stop down and get with Duane, and he can give you a real good overview of where we are at. So any questions for me? All right. Thank you, Mr. President.

President Ertel: Very good. Thank you, Nick.

Councilwoman Peterson: Yes. What time is the meeting Wednesday?

Safety Director Babb: Oh, I'm sorry. 6:00 p.m.

Councilwoman Peterson: Okay, thank you.

Reports:

A motion was made by McKay and seconded by Wells to approve the December 2007 Auditor-Treasurer Report, Annual 2007 Treasurer's Report; Statement of Interest Earned

Second Six Months 2007, Statement of Interest Earned Twelve Months 2007, and Statement of Interest Earned 1982-2007, December Income Tax Receipt Summary, Annual Income Tax Receipt Summary, and 2008 Projected Revenue Report, as received.  
Motion passed.  
Reports accepted as received.

President Ertel: At this point, I would like to open the meeting up to any person of the general public and/or council to address council while in session. If you would, please approach the podium and state your name and address for the record.

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:

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President of Council

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Clerk