

Wilmington City Council met on Thursday, April 3, 2008, with President Fred Ertel presiding.

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

Chief Hatten was also present.

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

Council gave the Pledge of Allegiance to the flag.

A motion was made by Jaehnig and seconded by Wallace to approve the minutes of the last regular meeting, March 20, 2008, as received.
Motion passed.
Minutes approved as received.

President of Council – Fred Ertel: We were to have Debbie Stamper here tonight. Unfortunately, Debbie has become quite ill, so we shall postpone that to a later date at this point. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. I asked a little earlier if we might be able to, and with your permission, move one of our items, which was under the Safety Committee, under Don, because we have with us Gary Brannon this evening. Don, if you would like to make your motion on the resolution.

Councilman Wells: Thank you, Mr. Mayor. Tonight, we have three readings on a resolution Regarding a Retiring Police Officer's Service Weapon and Badge, Providing for a Release of Claims, and Honoring Said Officer with the Presentation of the Same, and Declaring an Emergency.

A motion was made by Wells and seconded by McKay to give the first reading only on a resolution Regarding a Retiring Police Officer's Service Weapon and Badge, Providing for a Release of Claims, and Honoring Said Officer with the Presentation of the Same, and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

A motion was made by Wells 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; 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 Jaehnig 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. 2069 passed as read.

Mayor Raizk: Thanks, Don. The sum total of this – we're having this resolution – is because that one of our own of longstanding and who has given outstanding service to the City of Wilmington for almost 35 years is retiring tomorrow, April 4. I think that is right, isn't it Spark? So we wanted the resolution that you just passed, which authorizes him to keep his weapon and badge. I also have a plaque. If you would like to come forward?

Detective Gary Brannon: I've never been good up front.

Mayor Raizk: That's all right, come on.

President Ertel: You've usually been under cover, right?

Detective Gary Brannon: I didn't wear a tie tonight.

Mayor Raizk: No, you look good. You're looking good. Gary – it's hard for me to call him Gary; we've called him Sparky for so long. You know, he started out as a dispatcher way back when. I would like to read this plaque and let Gary take a picture of this. In appreciation to Gary Brannon, Chief Detective, Police Department, for his dedicated and loyal service to the city and the citizens of Wilmington, March 14, 1973, to April 4, 2008.

[Applause]

Mayor Raizk: We got it done. I'm taking this back.

Detective Gary Brannon: Do I have to stay?

Mayor Raizk: No. You don't have to stay, but I'm going to re-present it to you tomorrow night – with the rest of your stuff.

Detective Gary Brannon: There is a party tomorrow night at 5:00.

Mayor Raizk: At the Elks.

Detective Gary Brannon: I will drink all of the beer you want to buy.

[Laughter]

Mayor Raizk: That's right. You are encouraged to buy rounds – that's for sure. Sparky, I don't know how we can thank you. The citizens owe you a great debt. You certainly have been an exemplary employee.

(Bantering.)

Councilman McKay: Mr. Mayor, if you're going to do this again tomorrow night, is that kind of like a reconsideration.

Mayor Raizk: That is reconsideration. We're going to have to tell Hock that we did that. But we would like to present it again in front of Gary's family and friends and so forth. Anyway, that is all I had...other than to say...and you all have at your desk an announcement there of Sergeant Miller's retiring. We will be doing something similar at our next council meeting for Bill. Sparky, it has been a great ride. You know, I didn't even think you were still going to do it, even when you gave me your letter. In fact, I didn't even turn your letter in. I just kept it for a while just thinking, "Well, maybe he won't do it." But we sure appreciate it; the citizens appreciate it, and you have certainly left this department much better than when you started here. Your professionalism and the things that you have done with the Detective Bureau have been outstanding and we thank you. I don't know how we could say it any better. So I'm looking forward to tomorrow evening.

Detective Gary Brannon: Me, too.

[Laughter]

Mayor Raizk: Okay. Mr. President, that is all I have this evening.

President Ertel: Okay. Thank you very much. Assets, Acquisition and Use?

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

President Ertel: Okay. The Auditor is busy with taxes, I bet.

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

President Ertel: Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have several items. The first item is an ordinance Making Supplemental Appropriations. We have just one item.

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; 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. 4753 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance Making Miscellaneous Transfers dealing with the Municipal Court.

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. 4754 passed as read.

Councilwoman Mongold: The third item tonight is a resolution Authorizing Payment of Expenses Incurred in the Prior Fiscal Year. This is what we call the “Then and now.”

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

Motion passed

Director of Law read resolution by title only.

A motion was made by Mongold 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 Mongold 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. 2070 passed as read.

President Ertel: Thank you. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Street Committee – In the absence of Chairperson Peterson, Councilman Wallace: I guess I will speak for Councilwoman Peterson. You all have the map in front of you. At the last committee meeting, we amended the amended map. My compliments to Mr. Reinsmith for getting this caught up to date. I think we’re up to snuff on it finally. If you will notice, the committee thought that we needed a 15-minute parking spot on Main

Street, so we put it to where it is easy access, which is the fire lane near the front of the Murphy. That was one of the items we changed. Another item we changed was in the parking lot at the corner of Sugartree and South Street. We put some permit parking in that side of town for some of the employees in that part of town. Those are the two things we have put out. I think our first order of business is to amend the map according to what you see in front of you this evening. If there are no questions, I would like to move that we accept the map as presented.

Service Director Reinsmith: I will say that there were a couple of questions asked: one having to do with those two handicapped spaces by the courthouse. They asked about that handicapped ramp. That is located right between the two handicapped spaces. I talked to Rich and I said, "Rich, can a wheelchair get through there." He goes, "Yeah, if the car in the front space parks up and then the guy in the back parks back, there will be room." So we may have to look at the spacing on that. Also, down there at the same location where we put the permit parking, a question came up about the angle parking the width of the spaces. It looks like we can probably re-stripe that once the weather turns. We will probably pick up at least one more space down there too.

Councilman Jaehnig: There is a citizen in attendance tonight who would like to speak on this subject.

President Ertel: Okay, very good. Name and address for the record, please.

Jim Hartman: Jim Hartman, 530 Forest Lake Drive, Wilmington. One thing that I was concerned with is we're having all of these nice places to park in, but I pull in to park in a spot in the morning, I have to leave, and then somebody takes my spot and I have to drive all over town trying to find another spot. I think a good thing to do would be to assign numbers to the parking spots and issue out that number to whoever reserves one.

Councilwoman Mongold: Are you talking about the permit places?

Jim Hartman: Yes, permit parking.

Councilman Jaehnig: He is a business owner downtown.

[Comments inaudible for transcription]

Councilman McKay: Part of the reason that we decided not to do that, Jim, is that we will probably have a few additional assigned to additional spaces, because obviously everybody is not going to be parking in permit parking at one time. It allows you to expand a little bit. Parking spaces are at a premium, so... I think in your case it will probably work out just fine.

Jim Hartman: Well, like in our space down there. We have three or four spots at the most. I know who is going to be the first ones over there are the people from the courthouse. They'll have a permit and they'll be the first ones over there because they go to work at 8:00 in the morning. I thought he was going to be here tonight – Gosney. Gosney and CL Photography and I for sure – we would like to be able to reserve those spots down there.

Unknown male speaker: Why can't you color code the permit?

Councilman Jaehnig: I know the administration is working on the permit and how they are going to proceed, you know, with that. I don't know what their ideas or actions or how they are presenting, but I'm sure that somebody in the Administration Office will be happy to look into that further.

Safety Director Nick Babb: I'm not sure if we have ever had anybody from the courthouse apply for one of those.

Jim Hartman: Well, actually, when we leased the building down there, the person we were working through said that he could get two reserved spots for our business down

there. Well, then we found out that that belongs to the city and that he did not have any right to tell us that.

Mayor Raizk: Okay. I think the permit should take care of your problem, because by making it a permit space, if you don't have a permit it would be enforceable.

Jim Hartman: But, like I say...

Mayor Raizk: It won't take long to do one ticket probably....

Jim Hartman: Well, you know, like the courthouse people, if we pull out, they could pull in. They have a permit.

Paul Hunter: There are other people with permits.

Mayor Raizk: I understand that, Paul. I guess what I'm saying is I don't think we have anybody over there buying permits. I think you'll be okay.

Councilman McKay: This will be a work in process. I think we need to step back and see how this works, and then if there continue to be problems we can revisit them.

Mayor Raizk: Yes.

Jim Hartman: Thank you.

President Ertel: Okay. Thank you, Jim. I have a motion to amend the map from previous discussions.

A motion was made by Wallace and seconded by McKay amend the map as presented.
Motion passed.
Map amended as presented.

A motion was made by Wallace and seconded by McKay to give the third reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File.
Motion passed.
Director of Law read ordinance by title only.

President Ertel: Very good. Now I would like to have one for passage, please.

Councilman Wallace: Do we need to do that too?

President Ertel: Oh, sure.

[Laughter]

Councilman Wallace: Let's think about this. Councilwoman Peterson said she wasn't going to come back if we didn't get this thing done.

[Laughter]

President Ertel: There we go.

A motion was made by Wallace 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. 4755 passed as read.

President Ertel: It is accepted as presented, amended and finally accepted. Very good. Anything else?

Councilman McKay: I have said it before, but I will say it at his final juncture. I applaud Cindy for her hard work on this.

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

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

President Ertel: Thank you. Wastewater/Sewer?

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

President Ertel: Thank you. Judiciary?

Judiciary Committee: Chairman Mark McKay: Yes. We have an ordinance that is pretty much a housekeeping measure that we do every year. It involves codifying the ordinances that have been passed through the year. Are there any questions regarding the ordinance?

A motion was made by McKay and seconded by Popp to give the first reading only on the ordinance Approving the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of Wilmington, Ohio; and Declaring an Emergency.

Motion passed

Director of Law read ordinance by title only.

Councilman McKay: Yes. This ordinance is declared an emergency necessary for the preservation of public peace, health and safety of the Municipality and its inhabitants for the reason that there exists a necessity for the adoption of new Traffic and General Offenses Code amendments, so as to avoid conflict with general State law, and shall be effective on the effective date of this ordinance.

With that in mind, 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; 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; Wallace, yes; Popp, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Ord. No. 4756 passed as read.

President Ertel: Anything else?

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

President Ertel: Was that an effort at a filibuster?

Councilman McKay: No, just explaining why we were giving second and third readings on that.

President Ertel: I agree.

Councilman McKay: Sometimes people have questions about that...

President Ertel: Sure.

Councilman McKay: So I thought it would be a good idea to put that in.

President Ertel: It's verbiage we don't always hear. Okay. Safety Committee? Don, do you have anything else?

Safety Committee: Chairperson Don Wells: Nothing additional, Mr. President.

President Ertel: Okay. Thank you. Downtown Revitalization?

Downtown Revitalization Committee - Convener Sandy Mongold – No report.

President Ertel: Okay. Parks and 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, but a question. I did meet with the Streets Superintendent this morning, and we were talking about the signs that were going to be part of this parking. I told him to go ahead draft the signs we want, because we do want them, I think, to read a little different than they do now. I know we want to talk about parking 8:00 to 5:00 Monday through Friday type thing. Those are going to be a separate sign. We've talked about the logo we want to put above the sign. Who is designing that sign?

Councilman McKay: I think that is still in its last stages, but it has not been completed yet.

Service Director Reinsmith: But they are working on it? That's Downtown CIC?

Councilman McKay: I think it will be primarily the Main Street Group.

Service Director Reinsmith: I know Denny wants to go ahead and get.... This is a 30-day waiting period anyway and it will take that long to get those signs in, but as soon as we get the other ones.

Councilman McKay: That can be done separately.

Service Director Reinsmith: Yeah, I mean, because, you know, we are going to install that as a separate sign.

Councilman McKay: I know that was a request that Steve Brown had from Main Street Group. I think it makes sense for the downtown area. It will give it a little nicer appearance.

Service Director Reinsmith: Okay. That's all, Mr. President.

President Ertel: Okay. Thank you. How are we doing on salt?

Service Director Reinsmith: We have quite a bit right now. Hopefully, we won't need it for a while.

[General banter]

President Ertel: Okay, Safety Director.

Safety Director – Nick Babb: Gary is gone, but I have already congratulated him two or three times. This week we have lost two officers that have served the City, if I have added it up correctly, about 62 years. These two gentlemen are going to be tough to replace. We did have a police test last Saturday. We had 38, I believe, who took the test. We haven't gotten the results back yet, so we will be moving forward on that. A week ago Wednesday, we did join with other communities in the State of Ohio and had the statewide tornado test. I don't subscribe to the paper, but I was told it was not in our paper for some reason. We did get a lot of calls at dispatch. I don't know if the sheriff's department did or not. It was a successful test; everything worked. This Saturday, being the first Saturday of the month, we will also be testing again, weather permitting, which it is supposed to be a good day on Saturday. I bring this to your attention because I happened to watch the weather channel last night and so far this year they have had 45% more tornados this year in the southeast than they had at the same time last year. We really need to take this seriously. We only set our sirens off if there is a warning, unlike Hamilton County and other counties that set them off all of the time. We do take this

serious. Chief Hatten and I have met with folks out at DHL and ABX last week. We have a siren ordered for that area, since it is in the city now, and it should be installed by the middle of May. Are there any questions for me? Thank you.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by Wallace to approve the Income Tax Report – March 2008.

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. If you would, please, come to the podium and state your name and address for the record please. Yes, Sandy.

Councilwoman Mongold: I have one thing. On April 24, the Wilmington Republican Women's Club is going to hold a session called "Republican 101; Back to the Basics." It is going to be held at 6:30 p.m. at the Wilmington Savings Senior Center. We are going to have Dave Daniels and Kevin DeWine possibly. We invite everyone to come. If you would like to make a reservation, you can call me or Kathryn. Thank you.

President Ertel: Very good. Any other comments or questions at this point?

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 Jaehnig to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk