

Wilmington City Council met on Thursday, April 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.

President Ertel: We would certainly like to welcome all of you to this meeting. We have a packed house tonight. This is great. We usually don't have quite this many; I'm sure it is because we have so many exciting agenda items here.

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

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: At this point, I would like to open a public hearing on the 2008 Community Housing Improvement Program. Whitaker?

Whitaker Wright of CDC of Ohio: Good evening, ladies and gentlemen. This is a public hearing on the 2008 Community Housing Improvement Program application that the City of Wilmington will be submitting to the state on May 2. The city is going to apply for \$522,000 to address housing conditions and problems in the City of Wilmington for people who are low and moderate income. There is a handout (if you didn't get one) on the table. The allocations will be as follows: The City will allocate \$125,000 to help up to 13 households fix one or two problems under the activity that is called home repair. They will allocate \$190,000 to help up to five households bring their houses up to the State's rehabilitation standards. This is a complete overhaul of an individual house. It will allocate \$40,000 to assist Habitat for Humanity. They are currently negotiating to purchase some lots on the south part of town, and they will build two houses in the city. In addition, the City is proposing to spend up to \$78,000 to help two households purchase an existing home in the City, with down-payment assistance up to \$10,000 and up to about \$28,000 to help them make the house as new as possible. Finally, the City is going to ask the State for \$27,000 to remove two structures that are vacant and determined by the City under the Housing Maintenance Code to be unfit for human habitation. In order to do that, the City's Housing Advisory Committee identified an area at the southeast part of town east of South Street, that's south of Sugartree, just to the west of Clark down to Creekside Drive – that is going to be the target area where Habitat will build their new houses and the City will remove two vacant lots. I open the floor for comment.

Councilman Jaehnig: The proposal that you're making – these different units or houses and so forth – have they all been already identified?

Whitaker Wright: No. No.

Mayor Raizk: If I may speak... For the first time in the CHIP program, we are allowed to do demolition. We have never been allowed to do that before. That money has never been allowed to do for demolition. There is going to be some new housing construction. It is kind of a one for one trade off. They are now allowing some of the money to be used for demolition, as long as it is within a target area. So this money, while we have some properties that are targeted for demolition outside of this area, since the new constructions are going to be basically within that target area, it is a trade-off, and we are allowed to do that. This is great news, and as those of you have worked on this before know, we have never been able to...the grant monies have never been able to be used for the demolition of condemned properties.

Councilman Jaehnig: Now, is the new construction then on the same sites as the demolition?

Mayor Raizk: No, not necessarily, but within the same target area.

Councilman Jaehnig: Okay.

Mayor Raizk: That is why there is a defined target area. It doesn't have to necessarily on the same site, but it has to be within the area.

Councilwoman Peterson: Just for clarifying – all of the home repairs are in the same area as well?

Mayor Raizk: Did I explain that correctly?

Whitaker Wright: Yes.

Mayor Raizk: Pardon?

Councilman Jaehnig: All of the home repairs are in the same area?

Whitaker Wright: Yes. We are going to try to get about \$100,000 worth of housing repair rehabilitation in that area.

Mayor Raizk: Yes.

Councilman Jaehnig: As far as the demolition, is that something that is not already determined also, as far as what sites?

Mayor Raizk: Not necessarily.

Whitaker Wright: The City has a Maintenance Code, and Ernie Blankenship identifies properties on a regular basis. Rather than saying, "Well, we're going to knock down two units a year from now," it seemed more flexible to allow the City to use its Maintenance Code to say "We have identified these units and gone through the proper process."

Councilman Jaehnig: All of the legal procedures.

Whitaker Wright: Right. All of the legal procedures first.

Councilman Wells: Can you explain what that process is? How does that work?

Whitaker Wright: Well, the City's Maintenance Code spells it out in the ordinance. They have, I think it's, eight or 10 steps that have to be followed prior to the City being allowed to determine that a house is unfit for human habitation and can be condemned.

Mayor Raizk: We actually have several properties already lined up, and some of them are in this target area.

Law Director Hapner: Don, we did this a couple of years ago when Greg Bell was still here, but we had to go through all of the steps to get... I mean, it is a fairly lengthy process. It is not something that happens overnight.

Councilman Wells: My main concern in this is one of those properties is Scott Kirchner's property, if I understand that right. Is that true?

Mayor Raizk: No. It's not a demolition property.

Law Director Hapner: No, it's not a demolition property.

Councilman Wells: I thought you had determined which ones you were going to demolish.

Service Director Larry Reinsmith: No, we haven't determined anybody, except for some firehouses.

Mayor Raizk: There is one...

Service Director Reinsmith: We have a lot of houses that need work, but we have never really said that they need to come down.

Councilman Wells: Would 253 South Mulberry? Is that Scott Kirchner's property?

Service Director Reinsmith: It could be, but we haven't said that it needs to be torn down.

Mayor Raizk: We haven't identified....

Service Director Reinsmith: We've said it needs work and repair.

Councilman Wells: I know he is making some extensive plans to renovate that property.

Mayor Raizk: There are two processes. We are not talking about the same thing. There are some properties...we have a couple of properties that have been damaged by fire that we have been trying to get demolished because they are not habitable properties. This part is not about maintenance and repair.

Councilman Wells: I just wanted to make sure that...I didn't want Scott, because he is a former councilmember, to be unfairly targeted.

Service Director Reinsmith: Well, I don't think we would unfairly target him for that,...I think he started this project over six years ago and nothing has happened to that house. That is why that house would be targeted for housing maintenance violations.

Councilman Wells: Okay, so this process is going to take a while.

Mayor Raizk: But this is about demolition. This is not about maintenance violations.

Councilman Wells: But you don't know at this point which ones you want to demolish, right?

Mayor Raizk: Well, we have to make sure that they would meet the standard and so forth, and they would have to be in that area.

Councilman Wells: So at this time, it could be like any of these houses?

Mayor Raizk: No.

Law Director Hapner: No. No. The houses have to be determined to be unfit for human habitation. There is a house that there has been an extensive fire, it is not safe to go in, and the Fire Department goes through and does their inspection. That house would be on the list for possible demolition, but houses that can be repaired are not. They're just...

Mayor Raizk: Yes. You see, this is a different thing.

Councilwoman Peterson: We don't want to tear down something that can possibly...

Councilman Wells: That's what the money is for...is to rehab houses...so we should try to rehab them before we tear them down.

Law Director Hapner: Yes. Exactly. Demolition is a last resort.

Councilman Wells: Right.

Mayor Raizk: What we are saying, Don, is that we have never been able...demolition is a very expensive property in the city. We have to take general fund money to get these properties torn down – because they are unsafe and they are a health hazard to many, many citizens. They are a violation of safety and the welfare of the citizens. That is what we are talking about here. We are not talking about housing maintenance code violations per se; we are talking about properties that need to be demolished. The cost of demolition, what is good about the grant this time around, is that this is the first time we have ever been able to use any of these dollars toward getting rid of some of those properties that are a danger to the citizens. That is what we are talking about.

Councilman Wells: Okay.

Whitaker Wright: But you are asking all of the right questions. Yes?

Paul Hunter: Two questions. All the rehab is for owner occupied, right? No landlords, right?

Mayor Raizk: Absolutely.

Paul Hunter: A demolition – the owner of the property – he has some obligations. How do you determine that he doesn't have to demolish it himself?

Mayor Raizk: Well, if they can't demolish or we can't find that, we demolish it...

Paul Hunter: There's a hearing on all this, though?

Mayor Raizk: ...we put it on the tax duplicate and it becomes a [inaudible for transcription] on the title.

Law Director Hapner: Paul, what we have done in the past, is there have been houses where we can't find the owner.

Paul Hunter: That is what I figured.

Law Director Hapner: There may be a house where we have a deed and we know who it is titled to, but actually finding that person is something that we can't do.

Paul Hunter: Because if you could find him and he could afford it, then you would bill him for the demolition.

Law Director Hapner: Absolutely.

Mayor Raizk: Absolutely.

Law Director Hapner: But most of the time it is when we can't find the owner.

Mayor Raizk: Anyway, it does go with the property. So, whatever the cost of the demolition is, it gets assigned to that property on the taxes.

Paul Hunter: So, if there is a new buyer...

Mayor Raizk: If somebody else comes in and buys it, they are going to have to pay that off. There is a lien.

Geoffrey Phillips: Quickly, Whitaker. There is legislation pending in Columbus that is actively being heard in committee hearings (I believe in the House) that deals with this issue as it relates to blight and demolition. Obviously, Wilmington is not the only community that's doing it...it is all over Ohio; it is all over the United States. I am curious if CDC, your agency, has looked at that legislation and understood what that does to this demolition process.

Whitaker Wright: I have not seen the actual legislation.

Geoffrey Phillips: Obviously, we need to...Kathryn probably needs to review it...because it speaks to court action. Obviously, there are communities that have this issue everywhere that want to move properties along. It may give us some different guidelines than what we have done in the past. I just would bring that to our attention.

Mayor Raizk: Yes. The main thing about this, is that this is the first time that we have been able to get grant funds to assist the City in this process.

Law Director Hapner: We still have to follow all of the laws out there. It just allows us to have a vehicle in which to pay the cost.

Mayor Raizk: To fund some of the cost of demolition – a portion of it.

President Ertel: Any other questions? Okay. Thank you very much, Whitaker.

Whitaker Wright: Thank you.

Councilwoman Peterson: Thank you, Whitaker.

President Ertel closed the public hearing.

President Ertel: Okay, that takes care of everything I had. Mr. Mayor?

Mayor Raizk: Well, I'm glad we had a little time for discussion. I was trying to drag my feet so Gary would have a chance to get here. I have several things tonight. First off, I would like to make a presentation to Bill Miller. Bill, if you would come forward, and I'm going to come around here. Bill has faithfully served this community since January 4, 1982, for over 26 years. He, as a Sergeant of the Wilmington City Police Department, has at all times (and I've known him for a long time) represented this city and always has shown the best of the City to the public. I am very proud and honored to have known him. I think the citizens owe you a great debt for your service. I would like to present you with this plaque: "In appreciation to William Miller, Sergeant, Police Department, for dedicated and loyal service to the City and the citizens of Wilmington. January 4, 1982 to April 1, 2008." Congratulations.

[Applause]

Mayor Raizk: Thank you very much. Now, don't leave. There is more coming, so everybody stay. Under Don's Agenda, the chief has another presentation to make, and we have an ordinance there. At the rise of council, we also have cake and some soft drinks and everything for a little reception right here, so everyone hang around.

Mayor Raizk: I have more tonight. First of all, in your packets, just to highlight, we have two groundbreakings. This is exciting. The new City of Wilmington Tennis Court Project in conjunction with the Wilmington City Schools – that groundbreaking ceremony is Friday, May 2, at 3:30. We hope to see many of you there. Also, a groundbreaking ceremony for the Little Giant Restaurant Restoration – that will be on Friday, May 23, at 9:15 a.m. If everybody would check your PDAs, Day Planners, whatever, scribbled notes on the back of your hand, whatever you do. It is also my pleasure tonight (you may have seen the paper) to introduce to council and to the guests here tonight, Phil Floyd. Phil, would you please stand up? Phil has accepted...I am very pleased to have been able to offer and he has accepted...and he started Monday at the Taxi Department. Phil is our new Director of Public Transportation. Do you want to say anything, Phil?

Phil Floyd: Thank you? It is a little early yet, just having started. I'm still in the process of learning the faces and the facilities. Faces are difficult. There are over 55 part-time drivers. Fortunately, they all wear uniforms with their names. That is very helpful. We look forward to continuing the fine services that the taxi company has provided for many years under previous wonderful leadership. We will look for ways to continue that and to enhance it even further. Thank you.

Mayor Raizk: Thank you.

[Applause]

Mayor Raizk: One last note...I want to talk just a couple of minutes about curbside recycling. This is a program that we have worked with; we have had some fits and starts. The last program, we decided we would give it a try. We tried to do it the best that we thought we knew how. I think we talked about, Don, that we kind of set a goal of 10% participation by May 1 and then to be able to look at it. We switched it to the free program. I am so proud of the citizens of Wilmington because this program is really starting to gain traction. We have gone from an average of about 3% (this is an average; we have had some days that were lower and some higher) to an average of about 11% participation. We are very, very excited about it. We've had some spikes up and some trash days are better than others, but it is starting to work. It was interesting: One morning I was coming down to the City Hall (and my trash day is Monday), and as I was driving I said, "You know, I'm just noticing more blue bags out than I've seen in the past." When I got to my office, Don Maher was here and he said, "I want you to see some of these numbers. We are really starting to spike." So we are very excited about that and look in the future what we are going to do. We're going to have a presentation – we have some ideas of how to further enhance this and how to make it even easier. We are looking at some new methods of distribution for the bags. This is a free program; it's not a subscription program, and we are going to make sure that we get 100% credit for this program. I am very excited. If anybody says, "Well, you're program is not successful," as I was told by some folks, I think this is successful and it is going to be more successful. Don will be presenting some things along with Don Maher. It is our landfill and we have some great ideas about how to encourage more advertising – some things we can do – and also to get the bags distributed even in a more easy fashion for folks. We want to try to make it as easy as possible. That is just a real big plus. We will be coming back to you either at the next meeting or the following meeting with some more information about what we can do.

Councilman Wells: We need to save our landfill!

Mayor Raizk: Don has a new mantra, and it's "Save our landfill." and it's our landfill. I think it is very good for the citizens to understand that every time they recycle they are saving their landfill because it belongs to them. We have a unique community because we do have our own landfill. Not very many communities have that. So for us to keep on going with that, it takes everybody participating. It sounds like everybody is doing it. Really, I want to pat the citizens on the back because they are actually taking this to heart and it is starting to work. I think we are very excited about that. That is all I have to say. Thank you.

President Ertel: Very good. Thank you, Mr. Mayor. At this point, we will move into the committee reports. Asset, Acquisition and Use?

Asset, Acquisition and Use –Chairperson Sandy Mongold: We have a resolution tonight. I am asking for three readings because this needs to be presented to the commissioners by the end of April. It is a resolution indicating what services the City of Wilmington will provide to the territory proposed for annexation upon annexation.

A motion was made by Mongold and seconded by McKay to give the first reading only on a resolution Indicating What Services the City of Wilmington Will Provide to the Territory Proposed for Annexation Upon Annexation.

Motion passed.

Director of Law read resolution 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 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 Mongold 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. 2071 passed as read.

Councilwoman Mongold: That is all.

President Ertel: Okay. Very good. Thank you. Mr. Auditor?

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

President Ertel: Okay. Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have an ordinance tonight making supplemental appropriations. I believe all of the members of council were at the Sewer Meeting last week [inaudible for transcription].

A motion was made by Mongold and seconded by Peterson 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. 4757 passed as read.

Councilwoman Mongold: That is all.

President Ertel: Thank you. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Street Committee – Chairperson Peterson: No report.

President Ertel: Thank you. Solid Waste/Recycling Committee?

Solid Waste/Recycling Committee: Chairperson Don Wells: Save our Landfill!

Recycle! That is all, Mr. President.

President Ertel: Well, thank you, Don. Wastewater/Sewer?

Wastewater/Sewer Committee: Chairperson Mark McKay: We have no legislation tonight. Sandy did allude to a meeting we had last week and there are lot of things on the agenda this year for sewers. There are a lot of things that will be helping our citizens, so keep tuned to this channel.

President Ertel: Very good. Thank you, Mark. Judiciary Committee?

Judiciary Committee: Chairman Mark McKay: Since Mr. Hockaday is no longer here, I guess I will read through this voluminous list of items we have tonight. ‘A’ through ‘E’ all pertain to the CHIP Grant that Whitaker spoke of earlier in the meeting. Are there any other questions regarding those things? If not, we will start through the list. The first item has to do with the hiring of CDC of Ohio for the purpose of preparing applications for the Fund Year 2008 Community Housing Improvement Program.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Authorizing the Hiring of CDC of Ohio for the Purpose of Preparing an Application for the FY 2008 Community Housing Improvement Program and, if Funded, to Provide Services to Implement and Administer the City of Wilmington's Community Housing Improvement Program to Meet the Requirements of the Ohio Department of Development.

Motion passed.

Director of Law read resolution by title only.

Councilman McKay: On all of these items, I will be asking for three readings because there is a time limitation and in order to get these applications in by May 2, we need to get these passed in time.

A motion was made by McKay and seconded by Mongold 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 McKay 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. 2072 passed as read.

Councilman McKay: The second item is a resolution appointing the city's representative for the Community Housing Improvement Program Grant.

A motion was made by McKay and seconded by Mongold to give the first reading only on a resolution Appointing the City's Representative for the FY 2008 Community Housing Improvement Program Grant.

Motion passed

Director of Law read resolution by title only.

A motion was made by McKay and seconded by Mongold 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 McKay and seconded by Popp 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. 2073 passed as read.

Councilman McKay: The next item has to do with the City providing some in-kind services, office equipment and so forth.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Committing Office Equipment, Office Space, Utilities, Audit Costs and In-Kind Services for the FY 2008 Community Housing Improvement Program (CHIP).

Motion passed.

Director of Law read resolution by title only.

A motion was made by McKay 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 McKay and seconded by Popp 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. 2074 passed as read.

Councilman McKay: The next item has to do with declaring the slum and blight area.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Declaring a Public Nuisance and Spot Slum and Blight Pursuant to the Rules and Regulations Governing the Community Development Block Grant (CDBG)HOME Small Cities/Community Housing Improvement Program (CHIP) and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

A motion was made by McKay 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 McKay and seconded by Popp 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. 2075 passed as read.

Councilman McKay: Item E has to do with authorizing the submission of the application for the program.

A motion was made by McKay and seconded by Peterson to give the first reading only on a resolution Authorizing the Submittal of an Application for the FY 2008 Community Housing Improvement Program Grant and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

A motion was made by McKay 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 McKay and seconded by Mongold 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. 2076 passed as read.

Councilman McKay: That is the end of the CHIP regulations. We do have one additional ordinance. Mr. Mayor, did you want to speak about this at all?

Mayor Raizk: Yes, I will be glad to, Mark. I am asking Council tonight to...we are currently in the process of reviewing some of our zoning legislation. Some of this you will remember you looked at and you passed some ordinances about junk cars on streets and so forth. This has to do with some of our zoning issues in zones that have previously permitted certain types of activity. While we were reviewing that legislation, I am asking the council to declare a moratorium on the establishment of property used for the storage of junk, junk motor vehicles, towed motor vehicles, towing businesses, towing yards, and so forth while we are doing that. The reason I am asking for the moratorium is that it has happened in the past to us that while our legislative process, being thorough and reflective, was occurring, things happened that were beyond our control and we couldn't do it. I will give a perfect example. Council's intent was to outlaw billboards in the City of Wilmington. We passed legislation (this was several years ago) and the legislation taking 30 days to take effect, several companies pulled building permits in that time period. Once they were done, there wasn't anything that Council could do about it. With the moratorium we can at least, without fear of any new establishments,...and I will strongly indicate that this does not stop any current business activities actually going on...in other words, those folks that are here are grandfathered in and so forth...but this would establish that any new businesses applying for permits would be stopped until we can review this legislation. We don't know how we are going to approach this, whether these will be conditional uses, whether we are not going to have it all or whatever it is, but while we are in that process, this way we are not threatened with new businesses

getting started and new properties doing this while we are trying to make an intelligent decision. Especially, since we have had several examples of this in the past that have taken many, many, many, many years to get corrected, since we are starting on the right path, I don't want to go backwards. I am asking council tonight, and I think I have explained that to the committee the best way I know, to pass a moratorium on these items that are in this legislation. I think it is for six months is the way it is written. We certainly will be through our legislative process on these items prior to that. At least this way we can pursue and research and figure out how we are going to deal with these items without the fear of them being established while we are doing that. That is the purpose of the moratorium.

Councilman McKay: Thank you, Mr. Mayor. Are there any other questions?

Councilman Jaehnig: Mr. Mayor, this is towing yards and junk businesses. An automobile repair shop, does that qualify for this category?

Mayor Raizk: No, I think they are exempted.

Councilman McKay: This would be primarily businesses that would generate cars sitting out that are in a non-runnable state.

Councilman Jaehnig: I just thought that some automotive repair shops would have some cars under repair.

Mayor Raizk: I think if you look, there is a paragraph that deals with that. Those that are in for legitimate repairs or collision repairs by an establishment.

Councilman McKay: Timely repair. If there are no other questions, I am asking for three readings. The nature of the moratorium is that it should happen immediately and I am asking for an emergency to be declared.

A motion was made by McKay and seconded by Wells to give the first reading only on the ordinance Declaring a Moratorium on the Establishment of Property Used for the Storage of Junk, Junk Motor Vehicles and Towed Motor Vehicles Within the Incorporated Limits of the City of Wilmington and Declaring an Emergency.
Motion passed.

Director of Law read ordinance by title only.

A motion was made by McKay and seconded by Wells 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 Mongold 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. 4758 passed as read.

Councilman McKay: I think you've heard enough from me tonight. Thank you.

President Ertel: Okay. Thank you. Safety Committee? Don?

Safety Committee- Chairperson Don Wells: Mr. President, I have three items on there tonight. The first item is three readings on a resolution regarding a retiring police officer's service weapon and badge, providing for release of claims, and honoring said officer with the presentation of the same, and declaring an emergency. 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 Regarding a Retiring 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; 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 Jaehnig 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. 2077 passed as read.

Councilman Wells: The second item is three readings on a resolution authorizing the filing of an application through the US Department of Justice Bulletproof Vest Partnership/Body Armor Safety Initiative Program, and declaring an emergency. 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 Filing of an Application Through the US Department of Justice Bulletproof Vest Partnership/Body Armor Safety Initiative Program, and Declaring an Emergency.

Motion passed.

Director of Law read resolution by title only.

A motion was made by Wells 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 Wells 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. 2078 passed as read.

Councilman Wells: The third and last item is three readings on a resolution accepting a gift from Bible Baptist Church for the purchase of emergency shelter supplies. Are there any questions or discussion?

A motion was made by Wells and seconded by Jaehnig to give the first reading only on a resolution Accepting a Gift.

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; 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 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. 2079 passed as read.

President Ertel: At this point, we would like to have a presentation. Mr. Mayor?

Mayor Raizk: Yes, I think the Chief has a presentation to make to Bill. Since the resolution has been read, now he can go ahead and do this.

Chief Hatten: Twenty-six years, Bill. Congratulations.

Sergeant Bill Miller: Thank you.

Chief Hatten: We would like to present you with a little token of our appreciation so that you can remember us.

[General banter during unveiling of gift]

Sergeant Bill Miller: I would like to say thank you to all of the citizens of Wilmington and my fellow workers. It has been a wonderful career, it really has. I remember when I first started with the City it was a sleepy little town. At 8:00 p.m., the sidewalks rolled up. Nobody was on the streets until 6:00 or 7:00 the next morning. Now we have a city that never sleeps, so it has definitely changed. It has been very rewarding. I have thoroughly enjoyed it, and my best wishes to all of my coworkers. To all of the citizens, they have a fine police force that is still representing them and keeping them safe. So things will move on, but I really appreciate it. Thank you very much.

[Applause]

Chief Hatten: We also have a certificate from Representative David Daniels to Bill Miller for his 26 years of service for the City of Wilmington and the citizens of the community. Policemen get so possessive of their guns. It's like prying it out of their fingers to get it from them so we can clean it up and give it back to them. But Bill, they have passed the ordinance, so you get to have your service weapon back.

Sergeant Bill Miller: Thank you very much, Chief.

Chief Hatten: Congratulations Bill. We really appreciate it.

[Applause]

Safety Director Nick Babb: Bill, while you are doing that, I too want to say congratulations for the years of service – 26 years – for the job you did. On behalf of the citizens, except for those you arrested, we would just like to say, "Job well done." Thank you very much.

Sergeant Bill Miller: Thank you very much, Nick. I really appreciate it. I'll let you get back to council.

Mayor Raizk: Don't forget cake.

[General banter]

President Ertel: Okay. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold – No report.

President Ertel: Thank you. Parks and Recreation?

Parks and Recreation Committee - Convener Mike Wallace: I have no report, but there is a lot happening out around the school right now with the unofficial groundbreaking that is happening with those tennis courts up there. A lot of dirt is getting shoveled around, so we are excited about the things that are happening.

President Ertel: Excellent. Service Director?

Service Director- Service Director Larry Reinsmith: No report.

President Ertel: No snow; no report. Safety Director?

Safety Director – Nick Babb: No report.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by McKay to approve the Auditor-Treasurer report, March 2008, 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. If you would please, come to the podium and state your name and address for the record. Sandy?

Councilwoman Mongold: Quickly, I would like to say that first we have several members in our audience tonight that are 2008 class members with Leadership Clinton. We would like to welcome them. Also, today was Leadership Clinton's Southwest Ohio Regional Priorities Day. Many of us in the room attended that, and it was wonderful. It was a wonderful day. It was in conjunction with Clermont and Warren Counties. I would like to say good-bye Bill and welcome to Phil. I want to thank Bill for his service and look forward to your service.

President Ertel: Okay. 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 Jaehnig and seconded by Peterson to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk