

Wilmington City Council met on Thursday, June 5, 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 Popp and seconded by Jaehnig to approve the minutes of the last regular meeting, May 15, as received.

Motion passed.

Minutes approved as received.

A motion was made by Jaehnig and seconded by Wells to approve the minutes of the special meeting, May 21, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: That takes care of my portion. Mr. Mayor?

Mayor Raizk: Thank you, Mr. President. If I seem harried, I am. Obviously, the events of this last week, and I guess it has been just about a week, are very unsettling to our community. I just want folks to know that we are working very hard. I came back from Germany on Thursday and have hit the ground running ever since and haven't stopped yet. We are working on every angle that we can, and we have enlisted the help of all of our elected officials and legislators – from the Governor, the Lieutenant Governor, Congressman Turner, Dave Daniels of course, and John Carey, Senator Sherrod Brown and Senator George Voinovich – I have been in almost daily contact with most of them. We have been working very hard. You saw the announcement of the task force that the Lieutenant Governor and I are co-convening. He won't always be there, but he has lent all of his authority and help to that. We will have our first meeting Tuesday, and we will try to craft out an agenda that we will then make public as soon as we get it to show you what we are doing. There are so many issues out there, and I know you hear a lot of rumors and so forth, but this is of grave concern to our community. The numbers of direct employees, I think we've talked about those numbers, and then the indirect, and then all of us in business and education and so forth – I don't think there is anyone who is not impacted. One of the things that I have really thought about today more than others is that we really can't think of this problem in terms of a problem just since 2003-2004 with the announcement of DHL moving here. We have to remember that ABX and those businesses have been here for 25-plus years now, almost 30. So the economy that has grown up here has grown up in a very nice and controlled growth environment over those last years. We are really looking at upsetting a fabric that's not three or four years old, but 30 years old. That really dawned on me today – that it's not just about that. So we really have to do everything we can for job retention and at the same time we need to pursue some parallel strategies to take this asset of the Wilmington Air Park and create a successful and sustainable business model of an intermodal transportation hub and start thinking... As someone said to me today, "You know it's not thinking outside the box; it's a brand new box." We can't think outside of the box; we just got to make a new box. I think that's very true. I am doing everything I can. I know I have all of your support, and I appreciate everybody's help. We'll continue to lean on you in the future. We have a lot of work to do, and it's an uphill battle. I think there are a lot of questions that remain unanswered, and we're going to try to get answers to those questions and see where we go from here. But we are moving and we are trying to make something happen, so that is all I need to say. Thank you.

President Ertel: Thank you, Mr. Mayor. Moving into committee reports. Asset, Acquisition and Use?

Asset, Acquisition and Use –Chairperson Sandy Mongold: We do have an item tonight, and it is an ordinance authorizing the Mayor to enter into an annexation agreement. This is the Steinkolk property. What I am asking – we are asking for three readings, but we are not asking for them as an emergency. Yes?

Councilwoman Peterson: I did not have a map attached to this. Is there a map attached to anyone's.

Mayor Raizk: There probably isn't attached. This is a little different than the prior because this is not an expedited annexation. That map is actually before the court, but if I can describe the property to you a little bit.

Councilwoman Peterson: Yes. If you don't mind.

Mayor Raizk: This is the property on the east side of 73. Once you get past Wal-Mart, none of that is in the City on that side.

Councilwoman Peterson: Right.

Mayor Raizk: This cleans up the rest of the road. We have a portion of the road all the way down to Airport Road. Then this farm lays in behind that and comes around behind where the Wal-Mart is and across all the way up to Starbuck Road is part of this process. The bypass goes through the heart of this, and this was one of the reasons that we worked out the Maintenance Agreement with the State of Ohio, too, so that there wouldn't be any question about annexation on both sides of the road, you know, whether the road is in or not, so there wouldn't be any [inaudible for transcription].

Councilwoman Peterson: Is there anything, then, on that side that is not included in this annexation agreement.

Mayor Raizk: On that side of 73 down to there?

Councilwoman Peterson: Yes.

Mayor Raizk: No.

Councilwoman Peterson: At one point there were a few...

Mayor Raizk: There are, but the reason is, Cindy, that this is one of those majority property owner annexations, the traditional type that we used to use, and so those properties are coming in. They are not necessarily signatory, but they're coming in. There is one piece of property that will not be coming in. This is a property on the other side of the golf course that would be adjacent to the road. I think we've had this discussion about the Sepela property because they are in litigation with the State about access. We thought it best not to include them at this time in annexation because we can't guarantee them access when the road goes in and so forth. They really need to get their access through the adjoining properties, like towards the bowling alley and...

Councilwoman Peterson: Yes. I remember those ones...

Mayor Raizk: You remember that?

Councilwoman Peterson: Oh, yes.

Mayor Raizk: So that one piece in that corner is not coming in at this time, until such time as the overpass gets built and we can see what the access is going to look like.

Councilwoman Peterson: Okay, great. Thank you.

Councilwoman Mongold: Thank you.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Authorizing the Mayor to Enter Into an Annexation Agreement.

Motion passed

Director of Law read ordinance 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 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. 4768 passed as read.

Councilwoman Mongold: That's all. Thank you.

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

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

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We do. We have an ordinance making supplemental appropriations, and we just have two small items. The first item we are just appropriating the donations we received from Wal-Mart and Fort Dodge. The second item is the grant we approved at the last meeting.

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. 4769 passed as read.

Councilwoman Mongold: Thank you. I would just like for the Finance Committee to stay for a few minutes after the meeting because we need to schedule a finance meeting. Thank you.

President Ertel: Very good. Thank you. Water Committee, please?

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

President Ertel: Thank you. Streets?

Street Committee – Chairperson Peterson: We do have a meeting scheduled June 25 at 5 p.m. Other than that, I have no report.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President. I have no report.

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: No report.

President Ertel: That's got to be a record – no Judiciary...since Hockaday has left.

Councilman McKay: We had some but we decided to take it off just to expedite the meeting a little bit.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Don Wells: Mr. President, I have no report tonight.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Sandy Mongold: I would like to remind you that the Brown Bag Lunch has started, every Thursday in June and July from 11:30 to 1:00. We have great entertainment. Also June 27 is going to be the Jazz and Wine Festival in the Mural parking lot. Please mark your calendars for that; we would like to have a large crowd. Thank you.

President Ertel: Very good. Thank you. Parks and Recreation Committee?

Parks and Recreation Committee - Convener Mike Wallace: Mr. President, I have one item for this evening. For about two years now, we have been trying to get this Judy Gano Trail through the park. I think we're going to get it done. But in dealing with the Department of Transportation of the State of Ohio, we still need to clean up some homework. We need to file a resolution to get this back to them to get all the grant monies processed and those types of things. Are there any questions about this before I make a motion? Is everybody pretty much up to speed on it?

A motion was made by Wallace and seconded by McKay to give the first reading only on A Resolution Authorizing a "Final Resolution" with the Ohio Department of Transportation to Construct a 10-Foot Wide Bike Path from the 4-C Bicentennial Trail to Rombach Avenue Tying into the Lowes Drive Bike Path, to be Known as the Judy Gano Trail.

Motion passed

Director of Law read resolution by title only.

Law Director Kathryn Hapner: Mike, I do have one question for you. In the second paragraph it says "Whereas this project consists of the addition of 2.356 feet. Shouldn't that be 2,356 feet?

Councilman Wallace: I think the addition of that from where we started in '06 (I may stand corrected), but I believe we had to reroute that little bit through the park?

Law Director Hapner: I know that, but I mean it's not really just two feet is it?

General Discussion about comma placement.

Councilman Wallace: Do I need a motion to amend this?

President Ertel: Please.

A motion was made by Wallace and seconded by Peterson to amend the resolution to add the comma in paragraph 2.

Motion passed.

Resolution amended.

A motion was made by Wallace 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 Wallace 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. 2084 passed as amended and read.

President Ertel: Thank you. Service Director?

Service Director- Service Director Larry Reinsmith: No report.

President Ertel: No report? Safety Director?

Safety Director – Nick Babb: Tuesday evening was an interesting evening for all of us here not just in Wilmington, but in Clinton County. I am pleased to report this evening that the money you all invested in the tornado warning system a few years ago – if you recall, we went with a battery-operated system instead of the total electric system -- and it worked well. To give you an example, Denver Addition was without power for several hours, yet the sirens continued to function because they operate off of batteries. They're either charged by solar panels or they are charged by electric, but they don't operate off of either when they're activated, so it worked really well. We had a lot of siren activations because we had a lot of tornado warnings from the National Weather Service. With that came one problem at dispatch, and I would like to ask the public's cooperation. We had almost 300 calls during this time period. We called in two extra dispatchers to help. A lot of people called wanting some general information. In between those calls, we had EMS runs, we had police emergencies, and we had fire runs. In some cases, we had to just disconnect the call when we knew it was not an emergency call because we had other 9-1-1 calls. I would ask the public when the sirens are activated to turn on your radio, turn on your weather radio. I happened to be listening to the Reds ballgame Tuesday evening and I got the information off of WLW from the National Weather Service about Clinton County. They gave specific information as to where these funnel clouds were. That's the same information that we have in dispatch. So either through a weather radio or just an AM radio, hopefully everyone has one with batteries, please don't call dispatch unless you have an emergency because we were just overwhelmed with phone calls. But the system worked, and that's the most important thing. The last component, ironically, of our tornado system will be installed at the Air Park in probably two weeks. Any questions for me? Yes, Mike.

Councilman Wallace: Yes. I have a couple. If a tornado warning is issued and the siren goes off, does it play only once or does it play every 15 minutes...?

Safety Director Babb: It plays once. It goes off once, and then when we get another warning (because there were multiple funnel clouds sited either by police, fire or the National Weather Service) they are activated each time. That is why it went off several times.

Councilman Wallace: It seemed to go off every 20 minutes; that's why I was wondering?

Safety Director Babb: No. Mike, how many times did we set that off? Do you know?

Chief Hatten: Well, I know we set it off four times.

Safety Director Babb: Then it went off again about 12:30 in the morning, something like that, 1:00.

Councilman Wallace: Was there an all-clear sign. Did we ever get that?

Safety Director Babb: We sounded that about....

Chief Hatten: 10:30 the first time.

Paul Hunter: How do we know that? What is the all-clear sign?

Safety Director Babb: It's a high level (mimicking siren sound).

Councilman Wallace: I thought I heard that, but I wanted to make sure that that wasn't just a different kind of warning.

Safety Director Babb: Uh, no.

Mayor Raizk: It sounds like the police sirens they have in those foreign movies.

[General Banter]

Safety Director Babb: Most importantly, the system did work, and I thank Council for investing the money. We spent a lot of money on this system and we've had to tweak it. We've had to get a new radio toning system, but it worked. It worked when there was no power in the City in several neighborhoods, and that is the most important thing.

Councilman Wallace: That's what is important, because I didn't have a battery-operated radio. My family hits the basement, you know. We're sitting down there and saying "How long is this going to last?" "When do we get out?" Then we thought we heard the all-clear. "Is that what that is or not?"

Safety Director Babb: If you looked at your computer or your weather radar, the storms were just marking across the state right through our county, just one right after the other. It was really strange.

Councilman Wallace: You know, we didn't have electric so we couldn't do that.

Safety Director Babb: Buy a battery-powered radio. Thank you.

President Ertel: Just one comment. A couple of discussions with people about how many times they went off. It said it disturbed them so much. I said, "Well, can you afford not to take advantage of the siren?" If it goes off, take cover, because if you think it is a joke, you may get wiped out. Pay heed to it. Take advantage of the technology.

Reports:

A motion was made by Wells and seconded by Peterson to approve the Income Tax Report – May 2007 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.

Councilwoman Peterson: While we're waiting, I just want to take this opportunity to welcome Jessie Mass. She is here tonight working on her 4-H leadership project.

[Applause]

President Ertel: Welcome.

Mayor Raizk: No, you don't get off that easy. You have to tell us about your project. Didn't they tell you there was like a 10-page report?

Councilwoman Peterson: Sorry, Jessie.

Jessie Mass: It's just a leadership club in 4-H. I have to do a few activities and do a poster to take to the fair. This is one of the activities I chose.

President Ertel: Good. Excellent. Welcome.

Councilwoman Peterson: As a warning, I'm going to be taking some pictures after the meeting with Jessie. She might want to use them for her poster. So, consider yourself warned.

President Ertel: Thank you. One of the things that was laying in my area here was in regard to the landfill meetings, the Ohio EPA and so on and so forth. Many of you have been coming to those meetings and whatnot. Most of those informational sessions have been just members of council and whatnot. They are wanting to know if we can hold one in our meeting. I think it makes good sense. That way, we don't have to schedule another meeting. If everyone is in agreement with that, I will go ahead and have that set up on the next meeting. Would that be appropriate?

Councilwoman Peterson: That would be great.

President Ertel: We don't need a vote, just thinking ahead.

Councilman Wells: As I understand it, this can be an informational meeting in conjunction with a public hearing, right?

President Ertel: Yes, that is correct.

Councilman Wells: Okay.

President Ertel: So, good. Let's go ahead. We'll do that. Are there any other persons?

Councilman Wells: I'd like to just say that – I would like to make sure the Mayor knows that he has my support and the Task Force has my support in saving our jobs. I wish you all the best.

Mayor Raizk: Thank you. I appreciate that, Don.

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 McKay and seconded by Wallace to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk