

Wilmington City Council met on Thursday, February 19, 2009, with President Fred Ertel presiding.

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

Assistant Chief Weyand was also present.

Council gave the Pledge of Allegiance to the flag.

President of Council – Fred Ertel: Thank you for joining me in the Pledge of Allegiance. The minutes for the February 5, 2009, meeting right now are still being generated and so on because they were quite lengthy. We had two presentations there, and we wanted to make sure we got all of the presentation and all of the questions and discussions and so on, so those are not quite yet ready for approval. Those will be coming and will be ready for presentation and approval at the next meeting. At this point, I would like to turn it over to Mr. Mayor.

Mayor – David Raizk: Thank you, Mr. President. I just wanted to briefly go over something. We had a great event here in Wilmington, as you know. Many of you have been working with Feed the Children, who have been here for the past week. Today was kind of the culmination of all of the efforts. It was a tremendous turnout. The volunteers were amazing. There were almost as many volunteers as there were people, which really speaks to the community in my opinion. It tells what kind of community this is. The Feed the Children folks could not have been nicer. I think they really appreciated the spirit of volunteerism and felt like they were giving us a hand up, not a handout. I think that was evident all through the process. You know, there were people there who had never, you know, because of their present situation with layoffs and so forth, had never had to do anything like this before – had never wanted to. I think it was not a message about despair today; it was a message about hope – about a community that comes together and works together. It was a great event. It was thrilling to be a Wilmingtonian today, to tell you the truth; it really was. I want to make special mention. Rob Jaehnig, who coordinated most of these activities, from City Council, just did yeoman's work. This is a gentleman who has been going through a rough patch himself, and for him to put this kind of effort was just above and beyond the call, Rob. I want to thank you on behalf of the City of Wilmington for everything that you did. As a little memento, I want to give you one of our City of Wilmington coins in appreciation.

[Applause]

Mayor Raizk: That's all I have.

President Ertel: Thank you so much, Mr. Mayor. I have just one thing for everyone to know. Certainly, Gary can talk to more intelligent people and more knowledgeable people, but I just came from the Clinton Memorial Hospital presentation that was going on and it is going quite well. Quite well. It is a very, very good situation, hopefully. We are all interested in healthcare in our community and it is turning out very, very well. So, we'll see how it turns out. Thank you. Committee reports. Asset, Acquisition and Use?

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

President Ertel: Thank you. Mr. Auditor?

Auditor – President Ertel – No info.

President Ertel: Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have three items. The first item is an ordinance making supplemental appropriations. The first item, of course, is for unemployment. The second item is for a grant that the Fire Department has applied for.

It is from FEMA. The entire \$89,000 is the grant, and they bought air packs with the money. When we get to the next item, which is a transfer, that is the City's portion of the grant for \$4700.

A motion was made by Mongold and seconded by McKay to give the first reading only on an ordinance Making Supplemental Appropriations.

Motion passed.

The Law Director read the 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.

The Law Director read the ordinance by title only.

A motion was made by Mongold and seconded by Peterson 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. 4825 passed as read.

Councilwoman Mongold: Item "B," Miscellaneous Transfers, the \$4725 is the City's match for the grant.

A motion was made by Mongold and seconded by McKay to give the first reading only on an ordinance Making Miscellaneous Transfers.

Motion passed.

The Law Director read the 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.

The Law Director 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. 4826 passed as read.

Councilwoman Mongold: Item "C" is the resolution authorizing the filing of such grant.

A motion was made by Mongold and seconded by McKay to give the first reading only on a resolution Authorizing the Filing of a Grant Application Through the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS) and Acceptance of Grant Funds Therefrom and Declaring an Emergency.

Motion passed.

The Law Director read the 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.

The Law Director 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. 2118 passed as read.

Councilwoman Mongold: That is all. Thank you.

President Ertel: Thank you. Water Committee?

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

President Ertel: Thank you. Streets Committee?

Streets Committee – Chairperson Peterson: We have several items. The first item is the third reading on revising the downtown parking plan.

A motion was made by Peterson and seconded by Wallace to give the third reading only on an ordinance Amending the Traffic Control Map and the Traffic Control File to Adopt a Revised Downtown Parking Plan.

Motion passed.

The Law Director read the ordinance by title only.

A motion was made by Peterson and seconded by Wallace 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. 4827 passed as read.

Councilwoman Peterson: The next item will remove parking from one side of Hawley Street.

A motion was made by Peterson and seconded by McKay to give the third reading only on an ordinance Amending the Traffic Control Map and the Traffic Control File to Provide for a “No Parking” Zone on the North Side of Hawley Avenue.

Motion passed.

The Law Director read the ordinance by title only.

A motion was made by Peterson and seconded by Wallace 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. 4828 passed as read.

Councilwoman Peterson: The next item is renaming 22/3 that is now in the corporation “Rombach Avenue.”

A motion was made by Peterson and seconded by Wells to give the third reading only on an ordinance Naming that Section of S.R. 22/3 that Extends for 2600 Linear Feet, More or Less, Westward from the Current Municipal Corporation Line on S.R. 22/3 “Rombach Avenue.”

Motion passed.

The Law Director read the ordinance by title only.

A motion was made by Peterson and seconded by Wells 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. 4829 passed as read.

Councilwoman Peterson: The next two items are related to our paving projects. I would ask for all three readings tonight [inaudible for transcription].

A motion was made by Peterson and seconded by Wallace to give the first reading only on an ordinance Approving Preliminary Legislation as Prescribed by the Ohio Department of Transportation for a Small City Urban Paving Project in the City of Wilmington.

Motion passed.

The Law Director read the ordinance by title only.

A motion was made by Peterson and seconded by Wallace 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.

The Law Director read the ordinance by title only.

A motion was made by Peterson and seconded by Wells 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. 4830 passed as read.

A motion was made by Peterson and seconded by McKay to give the first reading only on an ordinance Approving Preliminary Legislation as Prescribed by the Ohio Department of Transportation for a Resurfacing Project on a Portion of S.R. 134 in the City of Wilmington.

Motion passed.

The Law Director read the ordinance by title only.

A motion was made by Peterson 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.

The Law Director read the ordinance by title only.

A motion was made by Peterson 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. 4831 passed as read.

Councilwoman Peterson: The next legislation is extending the “No Parking” area on Hale Street at Hale and Locust.

A motion was made by Peterson and seconded by McKay to give the first reading only on an ordinance Amending the Traffic Control Map and the Traffic Control File to Eliminate Parking on the West Side of Hale Street for 80 Feet Commencing at the Intersection with Locust Street.

Motion passed.

The Law Director read the ordinance by title only.

Councilwoman Peterson requested that the second reading be on the Agenda for the next meeting.

Councilwoman Peterson: I have one other item. A matter was brought before our committee. There is a portion of Old State Route 73 that is now in the corporation and we need to have a name for it. I am very process oriented, so the first question we asked in the committee was “What process are we going to use to rename this?” Councilman Wallace offered to head that project, so I will just let you share the process you are going to be using.

Councilman Wallace: We are going to go through the next month. We are looking at April 1, at the first meeting of City Council in April we ought to have a name for this. So, we are taking all suggestions and dropping them off in the Mayor’s office, or you can get a hold of me and give me suggestions if anyone has a suggestion. This is the street from the traffic light by the Elks...the new Old State Route 73, which now has no name. It goes from the traffic light by the Elks down to the traffic light by ABX (Airport Road). We don’t have a name for that road right now, so we need to come up with something. I’ll be glad to take all comers and then we will move on from there.

Paul Hunter: DHL Drive is not an option?

[Laughter and General Banter Regarding Possible Names]

Councilwoman Peterson: Thank you for taking that on. That’s all we have.

President Ertel: Very good. Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: I have nothing on the Agenda tonight, Mr. President. I did speak with Commissioner Randy Riley and Jeff Walls of Solid Waste Management. Hopefully, in March they should be here and address council. I am trying to work that out. I hope to have that at the first council meeting in March.

Clerk of Council Laura Curliss: For what?

Councilman Wells: For Jeff Walls to talk to us.

Councilwoman Peterson: Thanks a lot, Don. I know you have been working on that. It has [inaudible for transcription] for so many of us.

Councilman Wells: I have had some questions about it, so this would be a good opportunity. If you can think of anything that you want to ask, that would be a good opportunity. Thank you.

President Ertel: Thank you. Wastewater/Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: No legislation tonight, Mr. President. However, I do notice activity in the cemetery, and I am sure our Service Director will give us an update on that later in the evening.

President Ertel: Excellent.

Councilman McKay: That would be activities of digging...

Service Director Reinsmith: They dig there every day, Mark.

[Laughter and General Banter]

Councilman McKay: We'll just let that rest. Anyway, you'll probably hear about it later in the evening.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairperson Leilani Popp: Thank you, Mr. President. We have quite a few items. The first item is three readings on a resolution urging the introduction of legislation. This would be urging the state legislation to put a 6-month moratorium on foreclosures. Are there any questions?

Councilman Wallace: Mr. President, if I may say something here. I was not able to stay for the committee meeting to discuss this. Rather than turn this meeting into a committee meeting (I really have some questions on this and how this whole thing works), if you don't mind, I would just abstain during this. I just wanted to kind of explain why [inaudible for transcription]. I really feel bad that people are going to fall into this situation, and I just don't have it all thought out, and I don't really have a stand on this. I would not be doing the city service in making a good vote on this anyway.

President Ertel: Very good. We will certainly honor those wishes.

Councilwoman Popp: Are there any other comments or questions?

A motion was made by Popp and seconded by McKay to give the first reading only on a resolution Urging the Introduction of Legislation Providing a Six-Month Moratorium on Foreclosures.

Motion passed.

The Law Director read the resolution by title only.

A motion was made by Popp 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, abstain; Popp, yes; Mongold, yes; McKay, yes.

The Law Director read the resolution by title only.

A motion was made by Popp and seconded by Peterson to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, abstain; Popp, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Res. No. 2119 passed as read.

Councilwoman Popp: Our next resolution is in support of the Clinton County Commissioners for a Safe Haven Grant. They want to set up a Safe Haven home in our downtown area. They would like a resolution to support them in this effort.

A motion was made by Popp and seconded by Jaehnig to give the first reading only on a resolution of Support to the Clinton County Commissioners for the Submittal of an “OVW FY 2009 Safe Havens Grant.”

Motion passed.

The Law Director read the resolution by title only.

A motion was made by Popp 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.

The Law Director read the resolution by title only.

A motion was made by Popp 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. 2120 passed as read.

Councilwoman Popp: Our third item is a resolution authorizing the Mayor to sign a Neighborhood Stabilization Program in Cooperation with our neighboring counties. Are there questions?

A motion was made by Popp and seconded by Peterson to give the first reading only on a resolution Authorizing the Mayor to Sign a Neighborhood Stabilization Program Join Cooperation Agreement for the Region XVI and Declaring an Emergency.

Motion passed.

The Law Director read the resolution by title only.

A motion was made by Popp 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.

The Law Director read the resolution by title only.

A motion was made by Popp 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. 2121 passed as read.

Councilwoman Popp: Our next item is a first reading for the ordinance amending Ordinance 111.04. I would like to thank Kathryn and Fred for working on this for us and getting something in front of us. This concerns our meetings, and they changed how to go about them. This has not been done in a while and it needed reworked. Are there any comments?

President Ertel: Yes. I would like to thank Laura, too. Laura and Kathryn, thank you.

Clerk of Council Laura Curliss: You're welcome.

Councilwoman Popp: Laura, thank you also for getting this all together.

A motion was made by Popp and seconded by Peterson to give the first reading only on an ordinance Amending Codified Ordinance 111.04.

Motion passed.

The Law Director read the ordinance by title only.

Councilwoman Popp requested that the second reading be on the Agenda for the next meeting.

Councilwoman Popp: The next item is three readings on a resolution authorizing the submittal of proposals with the Ohio Department of Transportation for grants through

the Ohio Department of Transportation. This has to do with Taxi. Are there any questions?

A motion was made by Popp and seconded by Peterson to give the first reading only on a resolution Authorizing the Submittal of (a) Proposal(s) with the Ohio Department of Transportation for Grants Through the US DOT Federal Transit Administration (FTA), as Authorized Under the American Recovery & Reinvestment Act of 2009 and the Federal Transit Laws, as Codified, 49 USC Section 5311, Financial Assistance for Other than Urbanized Areas and Executing a Contract with the Ohio Department of Transportation.

Motion passed.

The Law Director read the resolution by title only.

A motion was made by Popp 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.

The Law Director read the resolution by title only.

A motion was made by Popp 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. 2122 passed as read.

Councilwoman Popp: My final item is three readings on a resolution in support of the Comprehensive Economic Development Strategy Committee's work here in the county. Are there any questions or comments?

A motion was made by Popp and seconded by Peterson to give the first reading only on a resolution of Support for the Comprehensive Economic Development Strategy Committee's Work and for the Submission of a CEDS to the U.S. Department of Commerce Economic Development Agency.

Motion passed.

The Law Director read the resolution by title only.

A motion was made by Popp 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.

The Law Director read the resolution by title only.

A motion was made by Popp 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. 2123 passed as read.

Councilwoman Popp: Thank you.

Councilman McKay: Mr. President, I do have one question for Leilani. I know there is someone in the audience that was interested in this from the Mediterranean...in the legislation we were talking about.

Mayor Raizk: That has to be advertised for a specific period as required by law. I didn't know that. I thought it was going to be on tonight as well. Laura, do you know when it will be on our Agenda?

Clerk of Council Laura Curliss: It should be on next time, after advertising for two weeks.

Mayor Raizk: There is a specific advertising requirement that goes along with it. It will be on next time.

Law Director Kathryn Hapner: In other words, they jumped the gun.

Mayor Raizk: What?

Law Director Kathryn Hapner: In other words, she jumped the gun.

Mayor Raizk: I was just asked a few minutes ago. I wasn't sure. I didn't advertise it. Did you advertise it?

Councilman McKay: I did not.

Councilman Jaehnig: I would be guilty of that, sir.

Law Director Kathryn Hapner: So, you jumped the gun.

Mayor Raizk: Anyway, it will be on next time, and we know you're interested. I didn't realize there was a specific notification requirement on that particular piece of legislation.

Councilman Jaehnig: But, we're glad you came.

Mayor Raizk: But, we're glad you came. We'll make sure you are here next time.

President Ertel: Okay. Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: We have no legislation today, but I would like to take the opportunity...if the Assistant Chief would pass on my thanks to the officers today that helped with Feed the Children. They not only were very efficient at their job, they were very, very cognizant of all of the people and the help that they need and very respectful of people's personal needs. I appreciate that greatly. I would also like to thank Larry and Denny and the Streets Services and all of the never-ending help with the demand we put on them to pull this off. We could have never had done this without you, so thank you very much. That is all I have, Mr. President.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Leilani Popp: Nothing to report, Mr. President, but we will have something next time.

President Ertel: Good. Thank you. Parks and Recreation Committee?

Parks and Recreation Committee - Convener Mike Wallace: No report, Mr. President, but Spring is coming!

President Ertel: Excellent. Service Director?

Service Director- In the absence of Service Director Larry Reinsmith, there was no report.

Mayor Raizk: Where did he go?

Councilman Wells: He got a call from the cemetery.

[Laughter]

President Ertel: We'll see if we can't get him back in here because I'm sure he does have some information.

Councilman McKay: I hope he can clarify that cemetery incident.

Mayor Raizk: The project that is underway on the cemetery, they are going along really well with it. We had to bid it twice, as you know, because there were some modifications in the easement. But we've got it and they're getting it done. We're very excited about that. That's a major cog in our wheels and gears of the sewage treatment plans.

Paul Hunter: How is the relining contract coming? Is that finalized finally?

Councilman McKay: That would be a better question for Larry also.

President Ertel: He's not to be found. Okay. Safety Director?

Safety Director – In the absence of Safety Director Nick Babb, there was no report.

Reports:

A motion was made by Jaehnig and seconded by Wells to approve the Hotel Lodging Tax – 4th Quarter 2008 and the Auditor-Treasurer's Report – January 2009 as received. Motion passed.

Reports accepted as received.

President Ertel: At this time, I would like to open the meeting up for members of council and/or the general public to address council while in session. If you would, come to the podium and state your name and address for the record. We have a special request from the Mayor.

Mayor Raizk: I think this was in your packets, but I just wanted to point this out. Bible Missionary Baptist Church has been very involved during the layoffs and everything with wanting to promote some ideas. I know they have been actively helping their members and other folks in the community with resume writing and some of these other kinds of things. This is a program that they are doing. It is cosponsored by our Small Business Development Center, which is sponsored from the State of Ohio, and the SBA. It is called LEAP, a business-ownership program. LEAP stands for Learn Entrepreneurial Applications to Propel you into business ownership. They are having a half-a-day seminar on February 28. I just wanted to mention that publically. You have a copy of this. I think it is great that they are getting active in the community and trying to assist folks. The next job that these folks get might be working for themselves. This is a great opportunity. They have partnered with the State of Ohio Department of Development, the Small Business Development Center, and the SBA and some other organizations, so it is a good thing.

President Ertel: Very good. Would anyone else like to address council?

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

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

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk