

Wilmington City Council met on Thursday, March 4, 2010, with President Fred Ertel presiding.

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

Chief Hatten was also present.

A motion was made by Jaehnig and seconded by Mead to excuse the absent member.

Motion passed.

Absent member excused.

Council gave the Pledge of Allegiance to the flag.

A motion was made by Wells and seconded by Jaehnig to approve the minutes of the last regular meeting, February 18, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: Also, I would like to have three readings on an ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances of Wilmington, and declaring an emergency. Any discussion?

A motion was made by Mongold and seconded by Wallace 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

In the absence of the Director of Law, President Ertel read ordinance by title only.

A motion was made by Mongold and seconded by Peterson 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; Mead, yes; Mongold, yes.

President Ertel read the ordinance by title only.

A motion was made by Mongold and seconded by Wallace to pass the ordinance as read.

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mead, yes; Mongold, yes.

Motion passed.

President of Council declared Ord. No. 4902 passed as read.

President Ertel: That completes my portion of the agenda. Mr. Mayor?

Mayor – Mayor Raizk: Thank you, Mr. President. I don't have any official report. We have members of the firefighters here and also the police department. As you know from our discussion (Mike, you were at your thing this weekend), because I called all of you on the findings that we got back from the fact-finder. Of course, the seven days has expired, and we want to thank everyone for the way they worked on this. Also, we just received [the contract]. I actually haven't had a chance to look at it yet, but it is substantively the same. I will be calling on the firefighters. But, I would like to take the opportunity to publically thank them for their hard work on this. They really worked together with the city to get this thing worked out. They will expect a call from me so we can go over this, and they have some things to do by Tuesday, and then the same situation will occur there. Again, gentlemen, thank you very much for your efforts. It really helps. Thanks.

President Ertel: Okay. Thank you very much. Moving into committee reports...Asset, Acquisition and Use?

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

President Ertel: Thank you.

Councilwoman Mongold: I do need to report that I spoke to Councilman McKay today and he said to send his regards to all of you from sunny Florida.

President Ertel: Very good. No Auditor.

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

President Ertel: Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have a resolution tonight – the then and now expenditures. Are there any questions? I think we all understand what that is.

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

Motion passed

President Ertel read resolution by title only.

A motion was made by Mongold 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; Mead, yes; Mongold, yes.

President Ertel read the resolution by title only.

A motion was made by Mongold and seconded by Jaehnig to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mead, yes; Mongold, yes.

Motion passed.

President of Council declared Res. No. 2190 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 no report.

President Ertel: Thank you. Solid Waste/Recycling?

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

President Ertel: Thank you.

Councilwoman Peterson: I have a question...is there going to be a follow-up meeting for some of the items that were discussed during the last meeting?

Councilman Wells: Mr. Hunter and I were speaking about that earlier. We were kind of hoping that Larry would be here tonight to talk about that. Mr. Mayor, do you know if Larry has found out any of those figures or facts for the landfill?

Mayor Raizk: I don't think he has it in proper form yet, but he does have some of that response back. I think we can set a meeting sometime soon.

Councilman Wells: Sometime soon?

Mayor Raizk: Yes. We will do that. I do know that he has some of that data back that was requested.

Councilman Wells: Okay. Thank you.

President Ertel: Okay. Very good. Solid Waste/Recycling, did you finish everything up that you needed?

Councilman Wells: Yes.

President Ertel: Very good. Wastewater/Sewer?

Wastewater/Sewer Committee: In the absence of Chairperson Mark McKay, Councilwoman Peterson: We have no report.

President Ertel: Very good. Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: We have five items tonight. The first item is the second reading in regards to the flood plain acceptance and insurance. Again, as I stated last week, we are very fortunate, unlike some of our surrounding communities, in having very, very little effect because of the fact that we have done a very good job of keeping up on it. So, we are doing the second reading tonight and will put the third reading on the next meeting.

A motion was made by Jaehnig and seconded by Peterson to give the second reading only on the ordinance Rescinding Codified Ordinance No. 1307, Adopting the Flood Insurance Study of Clinton County, Ohio and Incorporated Areas and Flood Insurance Rate Maps for Clinton County, Ohio and Incorporated Areas, and Adopting Flood Control Regulations and Procedures for the City of Wilmington.

Motion passed

President Ertel read ordinance by title only.

Councilman Jaehnig requested that the third reading be on the Agenda for the next meeting.

Councilman Jaehnig: The second item tonight, I don't know if this is each year or every other year, we approve the CHIP program for community development and we are in that process right now. The first item we have is a resolution authorizing the submittal of an application for the 2010 Community Housing Improvement Program Grant. We are going to ask for three readings and declare an emergency on that so we can get this grant paperwork in properly. Earlier tonight, they did have their second public meeting and are prepared to move forward.

A motion was made by Jaehnig and seconded by Peterson to give the first reading only on the resolution Authorizing the Submittal of an Application for the FY 2010 Community Housing Improvement Program Grant and Declaring an Emergency.

Motion passed

President Ertel read resolution by title only.

Geoffrey Phillips: A quick question...at what point will we have final definitions as to how the money will be spent?

Clerk Laura Curliss: It will be in the grant.

Mayor Raizk: It will be in the grant. If we get approved, this is another cycle. We were not approved last time.

Geoffrey Phillips: Having attending the meeting tonight, I didn't think we have really finished our work...

Mayor Raizk: But this is mainly for the submittal. It is not for the finalization.

Geoffrey Phillips: Thank you.

A motion was made by Jaehnig 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; Mead, yes; Mongold, yes.

President Ertel read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mead, yes; Mongold, yes.

Motion passed.

President of Council declared Res. No. 2191 passed as read.

Councilman Jaehnig: The third item tonight is related to the second item in regards it will allow us to hire CDC of Ohio for the purpose of preparing this application for the community improvement grant.

A motion was made by Jaehnig and seconded by Mongold to give the first reading only on the resolution Authorizing the Hiring of CDC of Ohio for the Purpose of Preparing an Application for the FY 2010 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 and Declaring an Emergency.

Motion passed.

President Ertel read resolution by title only.

A motion was made by Jaehnig 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; Mead, yes; Mongold, yes.

President Ertel read the resolution by title only.

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

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mead, yes; Mongold, yes.

Motion passed.

President of Council declared Res. No. 2192 passed as read.

Councilman Jaehnig: Item number 4, again relating to the same topic. I'm going to ask for three readings on a resolution appointing the city's representative for the FY 2010 Community Housing Improvement Program grant and declaring an emergency.

Director of Law Kathryn Hapner joined the meeting.

A motion was made by Jaehnig and seconded by Mongold to give the first reading only on the resolution Appointing the City's Representative for the FY 2010 Community Housing Improvement Program Grant and Declaring an Emergency.

Motion passed

The Director of Law read resolution by title only.

A motion was made by Jaehnig 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; Mead, yes; Mongold, yes.

The Director of Law read the resolution by title only.

A motion was made by Jaehnig and seconded by Mongold to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mead, yes; Mongold, yes.

Motion passed.

President of Council declared Res. No. 2193 passed as read.

Councilman Jaehnig: The last item we have on our agenda tonight is the last housekeeping item in regards to the same topic again. This is allowing office space, utilities, and auditing costs and in-kind services for this same program, the Community Housing Improvement Program. I am going to ask for three readings and declare an emergency.

A motion was made by Jaehnig and seconded by Peterson to give the first reading only on the resolution Committing Office Equipment, Office Space, Utilities, Audit Costs and In-Kind Services for the FY 2010 Community Housing Improvement Program (CHIP) and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

Councilman Mead: I have a question. Are these funds that we're talking about here... according to our agenda, we're looking in the \$15,000 to \$20,000 neighborhood...is that money in the budget already?

Clerk Laura Curliss: It's in-kind services...like Mary Kay's efforts to audit the grant – that would be counted. Her salary is already paid for, but they can count that.

Councilman Mead: There is a \$15,000 stipend in there for hiring somebody.

Clerk Laura Curliss: That comes out of the grant. It's a no-cash match grant.

Mayor Raizk: That's part of the grant, Bob.

Councilman Mead: Okay. Thank you.

A motion was made by Jaehnig 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; Mead, yes; Mongold, yes.

Director of Law read the resolution by title only.

A motion was made by Jaehnig and seconded by Mongold to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Wallace, yes; Mead, yes; Mongold, yes.

Motion passed.

President of Council declared Res. No. 2194 passed as read.

President Ertel: Anything else, Rob?

Chairperson Rob Jaehnig: No. I think that's enough.

President Ertel: Okay.

Councilman Jaehnig: Thank you, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: No report, Mr. President.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee – In the absence of Convener Mark McKay, Councilwoman Mongold: No report.

President Ertel: Okay. Parks & Recreation?

Parks and Recreation Committee - Convener Mike Wallace: No report, Mr. President.

President Ertel: Excellent. Thank you. Mr. Service Director?

Service Director- In the absence of Service Director Larry Reinsmith, Mayor David Raizk: No report.

President Ertel: Thank you. Safety Director?

Safety Director – Safety Director Nick Babb: Just to echo the words of the mayor and thank the fire and police unions for their work on the contract negotiations. There were a lot of meetings and a lot of discussion, I just want to thank you guys for being part of it.

President Ertel: Very good. Thank you.

Reports:

A motion was made by Wells and seconded by Jaehnig to approve the Hotel Lodging Tax Receipts Report – 4th Quarter 2009, and the Income Tax Report – February 2010, as received.

Motion passed.

Reports accepted as received.

Councilman Wallace: Can I ask a question? Is the Wilmington Inn closed? There are zero dollars reported here.

President Ertel: I do not know the answer to that question.

Clerk Laura Curliss: I know the answer. They are collecting it. It just didn't come in for this report.

Councilman Wallace: I just knew we were missing something.

Clerk Laura Curliss: They are not closed.

President Ertel: Are there any other questions?

Paul Hunter: So, why is it zero?

Clerk Laura Curliss: It is coming. It is slow.

Paul Hunter: It's too early in the month.

Clerk Laura Curliss: No.

Councilwoman Mongold: They have not [Inaudible for Transcription]

Clerk Laura Curliss: The auditor was going to report, but he is not here.

Paul Hunter: Nothing?

Councilwoman Mongold: Not for the month of February.

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.

Pat Haley: My name is Patrick Haley. I live at 185 Woods Edge Court in Wilmington. I am running for Clinton County Commissioner. I just wanted to take two minutes of your time. At least I'm trying to run for Clinton County Commissioner, and I hope we can get through a few hurdles. I think we will. With the exception of just a few of the council members, I've known most of you for probably 30-40 years, and I think most of you know me. You know, I have a record in public service, and that record includes working with the City of Wilmington. I think that is very, very important to do because the issues and challenges we face right now are much larger than just one body – it's a regional problem. There are regional challenges, and I think we have to be on the same page. We have to have new ideas; we have to have some new blood. It is one of the reasons I am running. I really have four main reasons. Taxes, leadership, budget and jobs. You are all concerned about the same thing. I am concerned about the things that you are. We need strong law enforcement, we need good fire protection, life squad and we need salt when it snows. We need good roads. So, we have a lot of things in common. I feel like, because I was born and raised in this community, my concerns run very deep here. These are the reasons that I am running. This is not a career move for me. But, I feel so

strongly that we need to step up and address these problems together. I think we can do that. Although, this is a quick meeting, I am not going to make a long political speech. But, I did just want to share with you my desire to work with you if I am successful. I feel we will have a very good relationship in the future. I will be glad to answer any questions if anybody has any.

General council members: Thank you.

Paul Hunter: Have you considered taking a pay reduction? While they are asking other county employees to take furloughs and leave without pay, the fairly handsome salary and benefits could probably take a little reduction. It would be a good symbol.

Pat Haley: You know, it is part-time position and the pay...I know there are a lot of outside responsibilities besides just the meetings, but yes, I would do that. I would take a reduction in pay. I think it sets an example for the county. I'm not speaking for the city, but I am speaking for the county, because you know the county is in a situation where they are going to have to reduce government spending, and they are probably going to have to cut some services. I think it starts at the top. It is unfair to ask some of the other departments to cut positions and cut salaries and not do it yourself. So, to answer your question, yes, I would certainly consider that and make it a priority. Thank you.

President Ertel: Thank you. Any other persons?

Mayor Raizk: I just want to send congratulations and forward going good luck to the Wilmington Hurricane. You know, it seems like it wasn't just a couple of years ago that we had gotten as far as we had ever gotten before in a tournament team, and now we kind of expect it. I guess that's what comes with success – you want to breed more success. I want to send them the community good wishes. I was going to have the Wilmington Quaker Basketball Team come here tonight, but they left for Virginia today for their first every NCAA tournament. Yesterday, I was able to go and give them a proclamation. I went out to practice last night for a little bit and wished them well and carried the good wishes of council and the City of Wilmington to them as well. So, we're going to have an interesting month here, hopefully, with the success of our teams. I just wanted to let everybody know what was going on, and I certainly wish everybody good luck.

President Ertel: Very good.

Paul Hunter: Just a quick comment. If we're going to take away my right of referendum on some of these, I would like to know why it goes to emergency. I think, and I'm not sure, I think it says that you have to state the reason for the emergency. We're not even bothering to put the welfare and benefits stuff that we used to put on those.

Clerk Laura Curliss: No, it is on there, Paul. It is an April 1 grant deadline. You either pass it as an emergency now or at the next meeting – one or the other. It is in the ordinance.

Paul Hunter: It is in the ordinance that the reason it is declared an emergency is because...?

Clerk Laura Curliss: It is an April 1 deadline.

Paul Hunter: Okay. Thanks.

Councilman Jaehnig: Mr. President.

President Ertel: Yes, sir.

Councilman Jaehnig: Last week we had a citizen by the name of Mike Stout stop in and talk to us about the condition of properties in his neighborhood. It got me thinking as I drive around. I am a very positive-thinking person in general. I believe that 2010 really has the potential of being an incredible year for the community and the county. We have

come through the dark winter and we're ready to move forward. As the airpark issue becomes resolved...knock on wood there...I believe we have a golden opportunity as citizens, as landowners, as business owners. As we move into 2010, we're going to have a lot of visitors coming through this community and looking at, hopefully, investments and moving their corporations or people looking to move their families with those types of issues. As spring starts to spring, and this is going to be our first nice warm weekend, while we still may have some bad weather coming, personally what I would like to see, if every citizen could just take the time to look at their own yard and do what they can to put the best shine on. I mean, a lot of us don't have the money to do a lot of painting and plant a lot of shrubs and so forth. But if we could at least make sure this year that the yards are mowed and the garbage is picked up and that we put the shine on the city and really put ourselves forward. As these individuals come through our community we want to put our best foot forward. And, after you have taken care of your yard, take a look at your neighbors'. You know, there are a lot of senior citizens and a lot of individuals that could use a little bit of help. Please, now is not the time to stop helping your neighbor. We have gotten through some really rough times, and I think 2010 could be a fantastic year. Now is not the time to let up. So, I am promising to put my best foot forward, and I am just asking the citizens to do the same thing with their own properties and their own neighbors and help out. 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