

Wilmington City Council met on Thursday, July 15, 2010, with President Fred Ertel presiding.

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

Duane Weyand was also present.

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

Council gave the Pledge of Allegiance to the flag.

President Ertel: Before you, you have the minutes from the July 1 meeting. What's your pleasure, please.

Councilman Wells: Mr. President, I have one change. On page 3, under Streets Committee, where it says Meadow Ridge Drive, it should say Meadow Ridge Circle. That's all.

A motion was made by Wells and seconded by McKay to amend the minutes.  
Motion passed.  
Minutes amended.

A motion was made by McKay and seconded by Wells to approve the minutes of the last regular meeting, July 1, as amended.  
Motion passed.  
Minutes approved as amended.

President of Council – Fred Ertel: At this time, I would like to have Lori Williams come up about the Clinton County Community Fellow Program, please.

Lori Williams: Thank you for the invitation to share a little bit about the program. Hopefully, you have been following us on the [clintoncommunityfellows.org](http://clintoncommunityfellows.org) blog, which is where we are sharing with everybody the excitement and the progress of this program. We now have four college students...come on up, because you need to see them. You'll be seeing them around a lot. We have Chase Yeakley, Kelsey Swindler, Chas Wiederhold, and Joe Zaycosky. This is really the dream team. These are top-notch students who have made a commitment to come back to Wilmington for the summer. They are now partnered with businesses. Each of them have at least two business partners and then they are doing a couple of team projects. They are into the fifth week now, and I think it is fair to say it has been a good experience so far. They are doing checkpoints every Friday at 3:00 in the Regional Planning Commission Office. So, if anybody would like to come and hear details about what is going on. I don't know if we have planned for any details tonight. Should I ask those questions? Would you like to know about their business partners or any details?

President Ertel: A snapshot would be just fine.

Lori Williams: Well, I am going to let them give a snapshot of what they are partnering with. I just want to mention that this program is a partnership between the Regional Planning Commission, Energize Clinton County, and Leadership Clinton, as well as the Chamber. They are actually housed in the Chamber building right now, so that has worked out very well. So, they are really are involved in the heart of what is going on downtown. They have found that they really like to walk to every place they have to go. It has been a good experience for them. They're college students. They're used to walking. Funding was received by the Cornerstone Foundation also. There was some funding through the Clinton Foundation, so that is how we were able to do what we are doing. We look forward to really making this a program that we can sustain year after

year. Maybe we will get to the point where we want to do it year-round. That would be great. I'm going to let them mention a little bit about what their products are and also maybe some of the not-for-profit activities too.

Chase: Hi, I am Chase Yeakley. I will be a Junior in the fall at Miami University. Just to kind of give a quick overview of the program. We all have a handful of business matches that we work with individually, as well as two team matches that we are contributing to big projects there. Then ten hours of each week are dedicated to not-for-profit work as well. Personally, I am working with Janet's Hallmark or Janet's Our Store, as they make that transition. I am also working with Peppermint Patties, the new ice cream parlor, and a For a Song and a Story. It is kind of a combination of some internal operation stuff at For a Song and a Story as well as external stuff with Peppermint Patties and Janet's Hallmark trying to get them online and trying to get everybody in the community informed of them. Reaching out what we can into making regional jobs for those things as well.

Kelsey Swindler: I'm Kelsey Swindler, and I will be a junior at Wittenberg University, where I major in English. My individual projects are Jen's Deli and Orange Frazer Press. With both, I have been working on social media marketing and creating a strategy for on-line presence. Our two team projects are Books 'N' More and The General Denver, and I am the lead for the General Denver project.

Chas Wiederhold: I'm Chas Wiederhold. I will be a second-year architecture student at the University of Cincinnati in the fall. My individual project is South Street Gallery. At the South Street Gallery, I am working on establishing a Wilmington Community Arts Collaborative, which will be a group that is responsible for having a year-round and seasonal art gallery inside South Street Gallery, just right next door. So, we will be opening up our first gallery show the first week of August, and this will be a group in the community that also works to promote the arts and establish Wilmington as an arts community, because there is a lot of artistic talent in the community that is just not connected right now. My other individual projects for nonprofit: I am working with the Clinton County Youth Council on their 2010 campaign, producing marketing material for them, as well as the Lytle Creek Greenway. I am working on developing a kiosk structure for them and doing a lot of design work for Energize Clinton County. We have a group project for Books 'N' More, doing a lot of work for producing new signage for the front of the building and also doing a lot of work on their interior layout. So, we are working on the organization of the store on the inside and then the curb appeal on the outside.

Joe Zaycosky. My name is Joe Zaycosky and this September I will be starting my third year at The Ohio State University. I am in operations management and a marketing manager at the Fisher College of Business. I am working with Littleton's Respiratory Care. They wanted to start selling scrubs, so I have been doing market research for them, researching some sourcing opportunities. I have also been working with Clinton Memorial Hospital, generating content for their website in regards to quality and process improvement. I have also worked with Rails to Trails, Energize Clinton County, out at Lytle Creek Greenway with Chas, shoveling mulch. I look forward to the next five weeks.

Lori Williams: Are there any questions or anything. Well, thank you for the opportunity and hopefully we'll...

President Ertel: Certainly. I think it is wonderful. Mr. Mayor?

Mayor Raizk: I just want to say I think this is an outstanding program, getting the best and the brightest to come back to our community. They grew up here and they are also contributing back. This is what Wilmington is all about or should be all about. Lori, I agree, I would love to be able to get this program full time – year round. Whatever we can do to try to make that happen, we are going to try to do that. It is just outstanding. I've seen little snippets of some of the things you've been doing. I know it is exemplary and I can't wait until the projects come to full fruition. Thank you all for being here. It's great.

[Applause and general comments]

President Ertel: Very good. At this time, discussion of the recycling grant.

Clerk Laura Curliss: Don Maher and Braden Dunham are here.

Mayor Raizk: If you want to come on up and introduce Braden, please.

Don Maher: I'm Don Maher, Superintendent of Sanitation. This is Braden Dunham who works in the office. We applied for a recycling grant in the first part of the year. We received that grant. We now have the money in hand. We're proceeding forward with looking at a truck and buying the recycling bins. So, we are moving forward with the program. We are currently at 13% participation, and we are in hopes that this will go to 25% very, very quickly. In order to get this grant, I have to take my hat off to Braden. He's done it all. In 2009, we applied for the grant. We did not receive it. We did a little bit of research. We felt that we could do a little better in 2010, which we did. Braden spent a lot of time, a lot of his own personal time. He did a lot of research – more than I would have ever done. We got the grant because of Braden, and he needs the credit for it.

[Applause]

Don Maher: That's about all I have.

Paul Hunter: When do you expect to start rolling? Do you have any idea?

Don Maher: We're shooting for about the middle of September. I was hoping September 1.

Paul Hunter: So, we'll use bags until then.

Don Maher: Yes. We're working on how we will distribute the bins right now. We have quotes on trucks. One truck is pretty well decided on, I think. We are still getting quotes on the bins. That's still up in the air.

Paul Hunter: Will we haul our own stuff up to the MRF?

Don Maher: The truck we're looking at right now has the capabilities of doing that. That will turn, possibly get some revenues out of our recyclables, if we haul to the MRF.

Paul Hunter: We won't have to pay for processing at the MRF?

Don Maher: It's still in the air. Everything is possible.

Don Wells: On behalf of the citizens, I would like to say thank you very much for what you have done.

[Applause]

Mayor Raizk: Braden and Donnie, the reason I asked you here is I felt you deserved the recognition. I wanted council to be able to see you and the things we do every day. Thank you for your extra work that is going above and beyond. I think it is important to note that we have a lot of employees out there like Braden who are doing this same type of thing. Duane is in the audience, and you know what he did – doing the same thing on some of the grants that he got. These are the kinds of employees we have. Thank you very much. We sure appreciate it. We are excited about it, and we're finally getting a truck. Oddly enough, the truck wasn't as easy as we thought. They were few and far between, especially in the price range we had designated. But we're working on that. If we can get it done by mid-September, I think that would be a good time to do it, and I think we'll be rolling along. So, keep on with your bags until we get to September. We've got a few bags, so keep the cards and letters coming. Thank you both very much.

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

Mayor – Mayor Raizk: I think it almost completes my portion too. At your place tonight, you will notice a thing about Clinton Kids & Cops program as far as back-to-school supplies. This is something that we want to participate in. We will have a barrel downstairs. We are working with ODJFS to do this. There is a lot of need here, especially with school supplies. I just wanted to bring this to your attention. We're encouraging everybody to participate in that. I think that is pretty much everything, other than, the July 7 newspaper had a picture of an unknown person...a costumed parade participant.

[Laughter]

Mayor Raizk: We are diligently looking to find the identity of this person. I don't have a Facebook account, but maybe she does. If anybody can identify this person, in such lovely regalia, then please bring it to the attention of the police department. What do they call that...a person of interest?

[Laughter and banter]

Mayor Raizk: If any of you didn't have an opportunity, this was a fabulous parade. It was hotter than...well, it was very warm. They had a tremendous turnout. I really like what has been happening with the Bicentennial Commission, partnering with existing celebrations and then just adding that much more has made a really nice schedule of events. That is going to continue. I think the next big event is Sports Day.

Clerk Laura Curliss: Sports Day, August 14.

Mayor Raizk: August 14 on the courthouse lawn. So, we'll look to see everyone there. I think we're having a great 200<sup>th</sup> anniversary celebration and bicentennial. Don't we have something coming Friday night?

Councilman McKay: Yes we do. You're on the 7-9 shift, you and your wife.

Mayor Raizk: Okay.

Councilman McKay: I noticed that Laura picked up on that Blanchester Bicentennial thing and maybe that is another clue to the identity of...

President Ertel: I would like to make the comment...I've seen the dress before, but the hat throws me.

[Laughter]

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

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

President Ertel: Thank you. Mr. Auditor?

Auditor – Auditor David Hollingsworth: Nothing to report tonight, Mr. President.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: We have a lot. We have several items that we need to take care of that were carried over from the last meeting. The first item is an ordinance making miscellaneous transfers.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance Making Miscellaneous Transfers, by title only.

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

Motion passed.

President of Council declared Ord. No. 4920 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance making miscellaneous transfers.

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

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

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

Motion passed.

President of Council declared Ord. No. 4921 passed as read.

Councilwoman Mongold: The next item is an ordinance making supplemental appropriations. This is a carryover also from the last meeting.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance Making Supplemental Appropriations, by title only.

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4922 passed as read.

Councilwoman Mongold: The next item tonight, we have a list of supplemental appropriations.

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 Jaehnig 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; Mead, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 4923 passed as read.

Councilwoman Mongold: The next item is a carryover.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the resolution Authorizing Payment of Expenses Incurred in Prior Fiscal Year, by title only.

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

Motion passed.

President of Council declared Res. No. 2202 passed as read.

Councilwoman Mongold: The next item is the second and third reading on a resolution estimating the amount of inactive monies and date of meeting for designation of depositories.

Councilwoman Peterson: Can you give me some background on this, please?

Councilwoman Mongold: Sure. We do this every year. This is just allowing Geoffrey to designate where our monies will be deposited.

Geoffrey Phillips: Every five years, Sandy.

Councilwoman Mongold: Every five years. I'm sorry.

Councilman McKay: Five years is a long time.

A motion was made by Mongold and seconded by Peterson to suspend the rules and give the second and third reading on the resolution Estimating the Amount of Inactive Monies and Date of Meeting for Designation of Depositories, by title only.

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

Motion passed.

President of Council declared Res. No. 2203 passed as read.

Councilwoman Mongold: The last item tonight, I'm not going to read the entire ordinance. This is to suspend the rules and regulations and give the second and third readings on an ordinance providing for the issuance and sale of various purpose notes in the principal amount of \$1,215,000.

A motion was made by Mongold and seconded by Peterson to suspend the rules and give the second and third reading on the ordinance Providing for the Issuance and Sale of Various Purpose Notes in the Principal Amount of \$1,215,000, in Anticipation of the Issuance of Bonds, for the Purpose of Paying at Maturity Notes Heretofore Issued to Pay Part of the Costs of Constructing (I) Lowes Road and Related Improvements, (II) An Extension to Davids Drive, and (III) Vertical Expansion of the City's Landfill, Paying Related Lawful Costs, and Declaring an Emergency, by title only.

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

Motion passed.

President of Council declared Ord. No. 4924 passed as read.

Councilwoman Mongold: At the last meeting, we had a request to provide a list of the general fund supplementals to date for 2010. We do have a list, and I have extra copies if anyone would like a copy. The grand total of the general fund supplementals to date is \$146,000. If you take out the amounts that are in there for income tax refunds and we have incurred a lot of expenses with the bargaining units for contract negotiations and grievances and then unemployment issues because of the lay-offs. If you take those items out, we would have only had supplementals of approximately \$5,000. If you do not have a copy of the list, I would be happy to provide you with one.

President Ertel: That's very, very good.

Councilwoman Mongold: That is all. Thank you.

President Ertel: Thank you. Water Committee?

Water Committee – In the absence of Chairperson Mike Wallace, Councilman Jaehnig: There is nothing.

President Ertel: Thank you. Streets Committee?

Streets Committee – Chairperson Peterson: We have a meeting on August 3 at 5:30. We have at this point, two agenda items, downtown parking and then parking on Grant Street near Sugartree. Other than that, we have no legislation.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: Mr. President, before you tonight you should have a copy of the second quarter 2010 recycle report. If anybody didn't get one, I have extras. We are at 13.1%.

[Banter about recycling days percentages]

Councilman Wells: The only other item I have tonight, Mr. President, this very night 44 years ago, Barbara Jean Browning married Donald E. Wells right here at the Friends Church, so we're celebrating tonight.

[Applause]

Mayor Raizk: Now that's a dedicated council person to make sure we had enough to suspend the rules while Barbara is fuming at home.

[Banter about Don Well's anniversary]

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

President Ertel: Congratulations. Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: We have no legislation tonight, Mr. President.

President Ertel: Okay. Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: We have a few items tonight, Mr. President. Tonight we are going to do the second and third readings on the Safe Routes to School. While there are a few issues that total agreement has not come to pass on, I am very pleased that we are the point that we are ready to move this forward. The committees that put this thing together – the school board, the regional planning commission, the planning commission has taken a look at it a couple of times – there has been a great deal of work in this. While there are a few questions hanging out there and things will come back before council again, you know, it is a very good report and it will definitely open some doors for us in the future, including getting sidewalks in many

areas of our communities where we don't currently have them. Those of you, you know who you are, who have worked on this plan. We thank you very much for all of your hard work.

A motion was made by Jaehnig and seconded by McKay to suspend the rules and give the second and third reading on the resolution Approving the Final Safe routes to School engineering Study for that Part of the Wilmington City Schools District Within the City of Wilmington, as amended, by title only.

Roll call: Jaehnig, yes; Wells, no; Peterson, yes; Mead, no; Mongold, yes; McKay, yes. Director of Law read the resolution by title only.

Councilman Jaehnig: I would like to move for passage, please.

Councilwoman Peterson: Second.

Councilman Wells: You had better count the votes.

President Ertel: Roll call, please.

Councilman Wells: Mr. President?

President Ertel: Yes.

Councilman Wells: Do we have enough yeas to suspend the rules and do the third reading?

President Ertel: If I heard it right, it was 4 to 2.

Clerk Laura Curliss: Four to two, right.

Law Director Kathryn Hapner: You can have the reading, but you have to have five to pass.

President Ertel: That is correct. We can still have the reading.

Councilman Wells: Okay.

President Ertel: We may not be able to pass.

Law Director Hapner: Right.

Councilman Jaehnig: I make the motion for the second and third reading then? Is that what I'm doing?

Law Director Hapner: You already did that. You're moving for passage.

A motion was made by Jaehnig and seconded by Peterson to pass the resolution as read. Roll call: Jaehnig, yes; Wells, no; Peterson, yes; Mead, no; Mongold, no; McKay, yes.

Clerk Laura Curliss: So do we move third to next time?

Law Director Kathryn Hapner: It didn't pass, so...

Councilman Jaehnig: So, we're moving for the third reading on the next meeting. Is that correct?

Law Director Kathryn Hapner: Well, it did not pass.

President Ertel: It did not pass.

Clerk Laura Curliss: So, it doesn't pass.

President Ertel: Now it can be brought to the next meeting.

Law Director Kathryn Hapner: It will have to start over again.

Clerk Laura Curliss: No, you'll have to start with the first reading again.

President Ertel: Okay. Everything has to start over.

Councilman Jaehnig: The second item on our agenda is an ordinance authorizing the assignment of a note and mortgage to the Ohio Housing Finance Agency. We need three readings on this, please.

A motion was made by Jaehnig and seconded by Peterson to give the first reading only on the ordinance Authorizing the Assignment of a Note and Mortgage to the Ohio Housing Finance Agency.

Motion passed

Director of Law read ordinance by title only.

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

Director of Law read the ordinance by title only.

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

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

Director of Law read the ordinance by title only.

President Ertel: Would someone like to have passage on it?

Law Director Kathryn Hapner: Well, you asked for the first reading and I read it. So, then you have to ask for the second and third readings in title only.

Councilman Jaehnig: Which I did.

Law Director Kathryn Hapner: Did I read it three times?

Clerk Laura Curliss: I think so.

President Ertel: No. We just did that one and now we are ready for passage is my understanding.

Law Director Kathryn Hapner: That should have been the second reading.

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

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

Motion passed.

President of Council declared Ord. No. 4925 passed as read.

Councilman Jaehnig: The third item is three readings on a resolution authorizing a contract to extend legal services to indigent persons charged with violation of city ordinances and declaring an emergency. Is there any discussion?

A motion was made by Jaehnig and seconded by McKay to give the first reading only on the resolution Authorizing a Contract to Extend Legal Services to Indigent Persons Charged with Violation of City Ordinances; and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

Director of Law read the resolution by title only.

A motion was made by Jaehnig and seconded by McKay to pass the resolution as read.  
Roll call: Jaehnig, yes; Wells, yes; Peterson, yes; Mead, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Res. No. 2204 passed as read.

President Ertel: Is there anything else?

Councilman Jaehnig: That is all we have for Judiciary Committee.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: We have one item, Mr. President. This is the second reading on an ordinance authorizing the mayor to enter into an agreement with the Board of Trustees of Union Township for fire and emergency medical services for a period starting July 1, 2011 through June 30, 2016.

A motion was made by Jaehnig and seconded by Peterson to give the second reading only on the ordinance Authorizing the Mayor to Enter into an Agreement with the Board of Trustees of Union Township for the Provision of Fire and Emergency Medical Services for the Period July 1, 2011 – June 30, 2016.

Motion passed

Director of Law read ordinance by title only.

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

Councilman Jaehnig: That is all we have.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – I would just like to reiterate as mentioned earlier that there will be a big party downtown tomorrow night in the mural parking lot, and we hope that everybody comes.

President Ertel: Very good. The weather is going to be great.

Councilman McKay: The mayor will be serving.

President Ertel: Okay. Is there anyone here from Parks & Recreation?

Clerk Laura Curliss: That's Mike's committee.

Parks and Recreation Committee – In the absence of Convener Mike Wallace, Councilwoman Peterson: We have no report.

President Ertel: Thank you. Mr. Service Director?

Service Director - Service Director Larry Reinsmith: No real report, just all of our road projects continue on.

President Ertel: Is there anything more about the Swindler situation on Locust Street. Are we losing more land? Are we going to have to have an extended construction area there? What are your thoughts?

Service Director Reinsmith: No. They're going to dig it out. Our engineer, Ernie, has been down there. I think he has the drawings done. They're going to construct a box culvert that is about 40 feet long. I think it is going to take about 2-3 weeks to have it constructed and then it will be in place.

President Ertel: Okay. Will we have to lose the other lane or is the right hand lane the only one we will have in jeopardy right now, the left hand will be fine?

Service Director Reinsmith: Yes. As long as we don't lose the gas line, sidewalk and the 12-inch water line, we will be all right.

[Laughter]

Service Director Reinsmith: And then you know, we encountered a new sink hole going up the street yesterday. It was a hole about 12 inches in diameter. You look down it and you could see down about 3-4 feet and went over into the left lane 7 feet. We dug last night nine feet and we restored a storm sewer, but then we used the camera in the sanitary and we found a break in the lateral going over to a house there, so that was down about 11 feet that we dug today. We found sink holes over by the BP Station on Main Street and one over here on Mulberry Street. We're falling apart.

President Ertel: We're all going to end up in Lake Cowan is what you're trying to say.

[Laughter]

Mayor Raizk: Water has not been kind to us this year. We have had the extreme amount of rain. The rain that we have received and the volume in the short period of time have really done some things. I know, Gary, that you reported in the newspaper that on Monday the rain was two-point-something inches. I don't know where that came from, but we got 4 ½ inches in a little over three hours. That is why we have things...there is no way to size or do any kind of system when you get that kind of rainfall. There were areas where we haven't had any flooding or backup in for years (because of some of the maintenance programs that we've been doing) that did their thing. So, there is not much you can do about it. Mother Nature rules all.

Service Director Reinsmith: I have had a few complaints from residents that say...

Paul Hunter: ...[inaudible for transcription] the sewer system.

Service Director Reinsmith: ...I think my neighbor has done something, because I've never had this much water in backyard before. Well, we've just had four inches of rain in two hours...what do you expect?

Mayor Raizk: There's just no way to handle that. I don't know how much went past the plant that night, but I'm sure the EPA will tell very soon.

Service Director Reinsmith: Nelson Avenue is coming around. It is looking real good. We wanted to get that much done and then let the fair get over with. As soon as the fair is over, they will be in there to pour the sidewalk on the east side, and then backfill, and then they will come back and finish the top coat.

Mayor Raizk: It's starting to look nice already. One of the things tomorrow Larry, Ernie and I and a representative from the contractor and ODOT are going to be looking all over the project, kind of a punch list. We're calling it a walk-through, although Larry says we can't walk that far, so we've got to figure out some way to get around.

Service Director Reinsmith: Now the 68 job, it's really moving along. They are going to start next week doing the full-depth repair at night and patching.

Mayor Raizk: It is coming along pretty well.

Service Director Reinsmith: It will be on schedule and they are going to be moving on. In fact, I think they are going to work Saturday too.

Mayor Raizk: Our instructions have been when they ask "Can we work nights?" or "Can we work weekends," we say, "You can work 24 hours a day." No one is going to complain as long as you get it done. Anyway, we are going to walk and look at some trouble areas and make sure all of those things get repaired so before they leave here, it is looking the way we all expect it and want it to look.

President Ertel: Okay. Very good. Thank you. Safety Director?

Safety Director – In the absence of Safety Director Nick Babb, Mayor Raizk: No report.

Reports:

A motion was made by Wells and seconded by McKay to approve the Auditor-Treasurer's Report – June 2010 and the Statement of Interest Earned for January – June 2010, 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.

Lori Williams: My name is Lori Williams. 271 Hiatt Avenue. I must plead ignorance, because I haven't followed the Safe Routes to School Process very closely. I am curious what "no" means at this point. Also, from the perspective of the people that voted "no," what were the issues? Are they resolvable at this point and in a timely manner? I assume that there are some deadlines that we are bumping up against.

President Ertel: Who would like to answer that question?

Lori Williams: I guess what I'm wondering is, are there technical issues with the engineering work?

Councilman Jaehnig: No. The questions as I understand them right now, and please feel free to correct me, is the order of the priorities listed. As a committee, the Judiciary Committee decided after the single change that was made (because of all of the hard work by the people that had put the plan together and the fact that the school board had blessed it, that the regional planning commission had blessed it, the city planning commission had blessed it), we would leave it as it was. That is the major outstanding issue to my knowledge. Is it something we can overcome? Yes.

Lori Williams: So, it is a matter of sequencing the priorities.

Councilman Jaehnig: Correct. For the two that voted no.

Councilwoman Peterson: I would like to hear from them because I am not certain if I...Bob, did you vote no for a reason?

Lori Williams: Yes. I would like to understand.

Councilman Mead: The reason that I voted "no" is because Safe Routes to School for me is for things like sidewalks and paint markings, crossing guards and various things like that to make it safer for our children to go to and from school. I am for Safe Routes to School. I am not against trails, but I don't think they belong in this document for Safe Routes to Schools. If we want to produce a document that promotes walking trails and bike trails, I think that's a wonderful idea, but I don't think that they are necessarily safe routes to school.

Councilwoman Peterson: So any document with a trail in it is a "no."

Councilman Mead: I don't think trails should be part of the Safe Routes to School.

Councilman Jaehnig: Bob, a question for you then. McDermott Village to the high school. What is your solution other than a trail, because I am not aware of any other solution.

Councilman Mead: Obviously, I haven't put as much time as the people you are talking about with all of their hard work, but I do not have a solution this evening other than sidewalks and proper signage and markings.

Councilman Jaehnig: The people of Denver Addition that were looking at getting new sidewalks, which you are supporting, would you like to address? You just voted “no” against their sidewalks.

Councilman Mead: We voted “no” against the document that was presented. We did not vote “no” against Safe Routes to School or against sidewalks or against crossing guards. We voted “no” that trails should not be in the document. Especially, holding a higher priority than sidewalks and other markings.

Councilman Wells: I voted “no” tonight because in the Third Ward, Nelson Avenue sidewalks project is priority 6 on the list. I believe we ought to have sidewalks before trails. Now, Larry informs me that we possibly might be able to get some sidewalks from Main Street to Warren Drive.

Service Director Reinsmith: Now that’s going to happen.

Councilman Wells: But the kids from the Town & Country Mobile Home Park, if they work down that far to Warren Drive, there are no sidewalks in Warren Knolls and there is no sidewalk up Nelson. I believe that we should have sidewalks first. I am not against trails. I love trails. I think they’re great. But as far as getting grant money and spending it, I believe we should finish the sidewalk projects first. Denver – I believe we should do all sidewalk projects first and then do the trails. I mean, I think trails are great. But, I don’t think they are safe for our kids to walk in a woods without street lights with coyotes and wild animals around. I just don’t think they are safe. Now if people want to use them for recreation, that is great. I am all in favor of promoting trails, but I don’t think that is part of the Safe Routes to School program and that is why I voted “no,” because of Nelson Ave. We did change the Truesdell Avenue sidewalk project to No. 2 on the priority list, which the Mayor and the Planning Commission did and I agree with that. I think that was good. So, that is my take on it.

Lori Williams: What was the number one priority?

Service Director Reinsmith: Denver.

[BREAK IN TRANSCRIPTION – END OF TAPE]

Councilman Jaehnig: ....I don’t know if you are ever going to produce a document that will put everybody’s top priority as number one. There are certain things that are more important to others and there are always things at a lower priority that groups of people will feel need to be on a higher priority. Is it doable? Yes, it is still doable. Will we take another push at it? Definitely, we will take another push at it. It is too important not to push this forward. The money for Safe Routes to School is out there. There are revenues that go unrequested every single year and that is why we have worked so hard and so many others have worked so hard to push forward on it. The unfortunate thing is, that even with this particular plan, if it had passed tonight, each individual grant, which still come back through committee, so that everybody would then have an opportunity to vote on whether that is the grant we put forward for application in that given year. So, too hold up the process of the plan moving forward because of priorities on it, when everybody will have an option to vote again, is disheartening. But it is what it is, and we will go back to work and we will find a way to resolve this situation.

Lori Williams: Well, I appreciate Rob. With your leadership Rob...

Councilman McKay: There were three “no” votes.

Councilman Jaehnig: There were three “no” votes.

Clerk Laura Curliss: Sandy, voted “no.”

Councilwoman Peterson: Oh, I’m sorry. We left you out. I didn’t hear...

Councilwoman Mongold: I would have to agree... I feel that the Safe School Routes plan is an excellent document. I totally am for the sidewalks and the crossing guards and so forth, but I just thought there was wording in there... because of some of the wording, I could not say “yes,” and a lot of that deals with the implementation of the trails – of certain trails. I agree the one over in McDermott village is an excellent idea, but I look at that more as a sidewalk or a road passage than a trail going through McDermott Village going over to the high school.

Lori Williams: To get hung up on the name, I guess, is a concern, because you’re right, sometimes it is functionally a trail and a sidewalk. I don’t really know what the difference is. Rob, I appreciate your leadership on this, because obviously it is a good thing and it is an opportunity that you don’t want to miss in terms of funding. And also, frankly, it looks really bad when something called “Safe Routes to School” gets voted down.

Councilwoman Mongold: I hope that we do get it resolved. It is an excellent plan.

Councilman Wells: I have to vote on what I’m looking at – on what is presented to me – not something that might happen in the future. So...

Councilman Mead: I have another comment also. This thing about being on the council and voting is a sacred right. You have to vote what you think is right and proper for the community. If each person votes what he feels is right, I think it is wrong to be scolded in the public forum for having voted the way he feels.

Lori Williams: I apologize if it came across as a scolding. I truly do, because I just, not having been involved in the process, didn’t understand the background. And I guess as someone who votes, I feel like I should be able to understand who is representing me what their basis is for their votes. I guess you have to look at it as... it certainly is a solemn obligation, but it is going to be taken seriously as a representative.

President Ertel: Thank you so much.

President Ertel again asked if anybody else from the public or the council wished to address council while in session.

Dick Unger: 1036 N. Lincoln Street. I would just like to reaffirm what Councilman Mead just said, that the people that voted “yea” or “nay” they voted for what they believed in, not what somebody said they would like to have or social pressure or whatever. I, too, believe that if you want trails, then let’s have a trail issue. Let’s don’t mix trails and safe routes to school. In my opinion, trying to piggyback trails onto Safe Routes to School. It just really upsets me when I feel we’re using children as a pawn to get a grant or anything that doesn’t really boil down to that. That is all. 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 Wells and seconded by Mead to adjourn.

Motion passed.

Council adjourned.

ATTEST:

---

President of Council

---

Clerk