

Wilmington City Council met on Thursday, October 7, 2010, with President Fred Ertel presiding.

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

Assistant Chief Weyand was also present.

Council gave the Pledge of Allegiance to the flag.

A motion was made by McKay and seconded by Jaehnig to excuse the absent member. Motion passed.

Absent member excused.

A motion was made by Wells and seconded by Mead to approve the minutes of the last regular meeting, September 16, as received.

Motion passed.

Minutes approved as received.

President of Council – Fred Ertel: The next part is a resolution authorizing the voluntary temporary (and I underscore temporary) reduction in salary of ten percent for City Council members. And if you notice in reading that, it is effective April 1 of this year and certainly goes in concert with the other reductions that were made and so on. It certainly runs upstream relative to what our comrades at the State and the Federal levels are doing. Unfortunately, I have not seen that same gesture done at the State or the Federal levels. Any discussion on this resolution, please?

A motion was made by Mongold and seconded by McKay to give the first reading only on the resolution Authorizing a Voluntary Temporary Reduction in Salary of Ten Percent (10%) for City Council Members.

Motion passed

Director of Law 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; Wallace, 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; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes. Motion passed.

President of Council declared Res. No. 2214 passed as read.

President Ertel: Hopefully, in the future, things will return to normal and we will be able to move this back to where we were currently at as of April 1.

President Ertel opened the public hearing on the 2008 & 2010 CDBG Formula Grant Amendment.

Whitaker Wright: Good evening, Mr. President, members of council, audience members. This evening we have been asked by the State of Ohio to amend our Formula Program Application for 2010. There is a handout that I have that provides a short explanation. As some of you will recall, over the summer we proposed to the State of Ohio to use 2008 and 2010 funds to complete the bathroom at the former Little Giant commercial space. The state thought that was a very good idea and precluded to kind of bend over backwards to help the city carry out the project. Unfortunately, subsequent to that, in July and August, HUD issued a very restricted interpretation of public rehabilitation and concluded that new work or new construction on handicapped-accessible bathrooms is no longer eligible. The state is appealing that ruling and apparently, a number of other communities were also caught in the same boat. Consequently, they said "Please, go ahead and amend your grant now because whatever decision HUD makes in Washington could be months." What you have before you this evening are the two proposed replacement projects. We had allocated approximately \$40,000 in fiscal 2008 funds. The

replacement project will be to repair the sidewalk in front of the Murphy Theatre. There are about 90 linear feet of sidewalk. It is located over a basement area that extends from the foundation of the building to the roadway. It is leaking and beginning to collapse. The City Service Department looked at the project from the inside and report the supporting stands are corroding and that is a large part of the problem. What we will do is remove the existing sidewalk and support stands, and install new support beams and replace the new sidewalk on top of the stands. Ernie Blankenship concluded with Larry Reinsmith that this was a far more cost-effective approach than trying to fill in the hole. Dan Mongold is here and I don't know if you want to amplify on these observations.

Danny Mongold: No. I think you covered it.

Whitaker Wright: The 2010 replacement project...we had allocated \$17,200 to the Little Giant. Instead of that, we will be allocating those funds to the Clinton County Homeless Shelter. In April, they had submitted a project request to install a parking lot on their property. Currently, as you well know, the only available parking is along Gallup, which provides very difficult circumstances to both the residents, staff and people who want to drop items off at the shelter. The new lot will be installed with access coming into the shelter to Main Street, which will provide for safer access and egress. As proposed, they will have a total of 10 parking spaces installed. I open the floor for questions.

Unidentified male speaker: Where would the parking lot be located?

Denise Stryker: It would be directly behind the 390 Main Street property that currently backs into the other two - 33 and 36 Gallup Street. It will alleviate a lot of congestion on Gallup Street, which a lot of times cabs have a hard time pulling up to drop people off or pick them up. During the wintertime, it is almost impossible to pass through. It is really going to help a lot. We are really thankful for the opportunity...

Whitaker Wright: As I recall, when they acquired the property, Larry went out and looked at the easement and also at the space behind that Main Street property.

Councilman Wallace: Would this be the kind of project that would be good to reach out to [Inaudible for Transcription] and see what their feelings are? Is that a necessary thing?

Whitaker Wright: Part of that is the public hearing process. As far as I know, the City received no comments ahead of time that I am aware of.

Paul Hunter: Will the zoning allow that? Would this be of interest to the BZA?

Whitaker Wright: I would defer to the City on that.

Denise Stryker: We did check with Ernie Blankenship when we submitted the grant back in April. He checked on that and said it was.

Whitaker Wright: The zoning was acceptable?

Mayor Raizk: There is no zoning problem that I know of.

Councilman Jaehnig: The entrance to this is off an alley?

Whitaker Wright: Off Main Street. There is actually an easement right-of-way along that property. They will install a driveway up the slope and onto the parking surface.

Councilman Wallace: Did I read it is like six to eight parking spots. Is that what it is?

Whitaker Wright: Eight to ten.

Councilman Wells: Is the sidewalk improvement, is that 25,500, is that a new figure added to the \$40,900. Is that what that is?

Whitaker Wright: Are you looking at the second page?

Councilman Wells: Yes. 2010.

Whitaker Wright: Okay. That sidewalk improvement is for Main and Mulberry. The Murphy Theatre sidewalk would be just for 2008 funds. The 2010 funding will be used to assist the Main and Mulberry project where they had to go in and get some engineering...

Councilman Wells: Is that on the corner by the hotel?

Mayor Raizk: That has already been approved. We're not amending that part of it.

Councilman Jaehnig: That was what I was going to ask...is that still intact?

Whitaker Wright: That is still intact and we've gone out for engineering procurement for geotechnical services. Those came back just a few days ago, and Larry and Ernie will evaluate the qualifications of the engineers.

Councilman Wells: What is the status of the Little Giant right now?

Mayor Raizk: We're stuck because they won't allow us to use that money like they did before for the completion of it. I can tell you, though, that we are pursuing some private funds, while this is going on, to finish it, because our goal is to get it finished. We have had a little bit of private interest in it. It belongs to the DWCIC actually, and therefore they can do something with it. There is some private interest in doing that and completing it with private funds.

Whitaker Wright: The city has met with a number of local contractors, so I think that everybody had a pretty good idea of what it would cost to complete the work. If it is paid for privately, then Davis-Bacon wages don't apply and that substantially lowers the cost of the project. Are there any more questions?

President Ertel closed the public hearing on the 2008 & 2010 CDBG Formula Grant Amendment.

President Ertel: Mr. Phil Floyd.

Phil Floyd: Thank you, Mr. President. Good evening, everybody. This public hearing is one of the final requirements of the 2011 grant proposal process. This process includes three readings of a resolution authorizing the submittal of the certification and assurance documents and budget documents for operating and capital funds for the calendar year 2011. The Ohio Department of Transportation and the Department of Transit will evaluate these documents along with our performance data, which is determined from our quarterly reports, providing ridership, revenue collected, vehicle miles traveled, hours of operation and other information. This data indicates our level of efficiency, ultimately to help determine the approval of our request for funds for next year. While ridership and efficiency of our system are a large part of determining the awarding, it is also determined, of course, by the available funds from the federal and state public transit budgets, so there are no guarantees for us until all of that is determined, and it will probably be somewhere in mid-December before we will know for sure. I can report that our performance numbers continues to surpass the Department of Transit calculated averages. It actually places Wilmington Transit System as one of the most efficient rural systems in the State of Ohio. I am happy to report that we will provide over 130,000 rides this year while, at the same time, keeping the actual cost to the city at levels not seen for over a decade. For 2011, we have submitted a budget proposal that will reduce the city's contribution by 32% from 2011, which was \$283,247. This will reduce it to an 11-year low of \$192,295. This includes \$13,295 in capital funds for replacement vehicles. Our total operating budget submitted to the state is \$1,365,589 plus \$132,947 capital for the replacement of said vehicles. To fund this budget, our grant proposal seeks \$633,026 in federal grant funds, \$140,968 in state grant funds, plus \$65,003 in Ohio Elderly and Disabled Transit Fare Assistance Funds, which we have already been approved for. Also, I am requesting \$119,652 in capital funds for the purchase of the

vehicles mentioned, plus we estimate revenue generated fares at \$240,000 plus contract revenue of \$61,000. Within the 2011 budget, we are including expenses based on a formula provided by the Auditor's Department which would allow us to expense a portion of personnel costs incurred by the Auditor's Office and the Service Director's Office for services provided to our department. This is considered indirect labor or allocated costs. The Department of Transit considers this an in-kind contribution, so we submitted it that way. While there are no guarantees, we anticipate acceptance of the proposal as submitted. If the indirect labor costs or our share of the administrative costs are not approved by the State, the contribution by the City will still be 24% less than the 2010 contribution. So, our goal is and always has been to maintain the same level of service and not raise fares, but, at the same time, reduce the amount the city has to budget to the transit department. Are there any questions?

Paul Hunter: Where are the savings coming from?

Phil Floyd: Well, from the get-go. When I came aboard two and a half years ago, I did a complete analysis of costs and where we could look to save money and to also increase revenue. When we increase revenue, like in contracts for Job & Family, for instance, that directly reduces the city's share. So, we have increased the contract work for the last two or three years. We took a look at all costs, which of course the highest cost is personnel. We have 45 part-time drivers, so \$500,000 a year. We took out any overtime. We reduced driver's hours slightly to about 5%. We've reduced travel costs, office supplies, building maintenance, although we do have requirements from the state in the maintenance of the vehicles...we did find ways to trim that down. So, it is just a matter of taking every line item and looking where we can save the dollars, increase revenue. With all of that, we have been able to take what was three years ago a city share of \$436,000 down to \$192,000 for next year.

Paul Hunter: One additional...are you still doing the airport runs?

Phil Floyd: Yes.

Paul Hunter: Are they considered revenue?

Phil Floyd: Absolutely...at a fully allocated cost. So...

Paul Hunter: So, they are dead-even or there are profits in it?

Phil Floyd: Well, it is. Our cost to do that is less than the actual revenue received for those trips.

Councilman McKay: You had talked to me about switching out some of the bigger cabs for the smaller van-type cabs. Has that test been completed yet?

Phil Floyd: No, it is still early. We just received the vehicle a couple of months ago. What Mark is talking about is that we are required by the State to have 50% of our fleet wheelchair-accessible vehicles. This past year, I purchased a smaller modified minivan that allows for wheelchair access, but the gas mileage goes from eight or nine up to eighteen. It is much smaller, easier to park, easier to maneuver. We are testing that out to see if over a period of time we can put three or four of those vehicles in service instead of the very large vans to save the fuel and we are thinking that is going to work out very well.

Councilman McKay: And on the longer trips, that savings would go to...

Phil Floyd: ...Yes absolutely. When we do trips for Job & Family, for instance, to Dayton or Cincinnati, medical runs, appointments we can take that instead of the big vans.

Councilman Wallace: I have a question. Are our drivers trained in CPR?

Phil Floyd: Yes. In fact, we just had refresher training from the Fire Department two weeks again. First Aid and CPR. We have a very stringent training program that is required by the state.

Paul Hunter: I have one more question. Where do you buy your gas? At the city pump?

Phil Floyd: Yes. The gas is bought in bulk by the city.

Councilman Jaehnig: All I can say, Phil, is over the last two years while I was unemployed, I used the City cabs quite a bit. It is a great service and they did a great job every time I rode them. We're very fortunate to have such a fine, first-rate run...

Phil Floyd: No question about it. I will add that it could not be done without the support of you all and the Mayor, of course. It is a service that is almost indispensable for the community. Especially now, with the need for transportation at a very, very inexpensive cost for healthcare, for training, for job opportunities, for the independence of our seniors and our disabled. I am proud to be a part of it.

President Ertel: Thank you, Phil. Great job. Also, I would like to mention a notice of legislative authority from the Ohio Division of Liquor Control. We have notice for the transfer from Twin Groups PH LLC of Rombach Wilmington to SCAP PH LLC dba Pizza Hut on Rombach Avenue here in Wilmington. This will be on file at the Clerk of Council in case anyone would be interested. Thank you so much. That completes my portion. Mr. Mayor?

Mayor – Mayor Raizk: Thank you, Mr. President. A couple of things...I think you have seen in the paper about Taking the First Steps Toward Ending Domestic Violence. I have a proclamation declaring alternatives to domestic violence awareness month 2010. I just wanted to bring that to your attention. I think it was in the News Journal. You'll notice some of the decorated ladders all over town with the decorations. This is in support of the campaign. The winning ladder was the Isle of Style Salon. Pam Whalen of our own PD received an award at the luncheon for excellence in response in domestic situations and caring for the victims. Deputy Sheriff Mike Starkey also received an award at the luncheon. I wanted to bring you up to date on that. Laura slipped a little thing in my packet here about the Girl Scouts. The local units now have a city bicentennial badge. Jeff Murphy who helps do those kinds of things, as you well know, helped them with this. If you know of anybody that might like to buy some of these for a sash or for their clothing. They will be available, and I think the Girl Scouts are going to sell them, and I hope they earn them for their own sashes.

Councilwoman Mongold: I do have some interest from a club. Do you know the cost?

Clerk Laura Curliss: Not very much. The cost is only about a dollar and a quarter. They're not very much. Jeff Murphy could help you out. He is placing the order soon, I think.

Mayor Raizk: So, let Laura know if you want them or if you have your own club that might be interested in them. Some of us, like me, nobody will have me, so I have to have my own club.

[Laughter]

Mayor Raizk: Also this week, I was asked to issue a welcome to the Grand Chapter of the Royal Arch Masons who had their convention here this week at the Roberts Centre. I did not guesstimate the crowd, but it was many hundreds of the Masons here. The little story to that is that several years ago, they came to Wilmington because there was a problem at the place where they were supposed to go and they couldn't go, so at the last minute they picked the Roberts Centre, who helped them out and they were able to hold their event. They liked it so much, they came back, which we were very proud to have them here. I just want to say for the record that Councilman Mead was bedecked in his finest and I can say, without revealing too much, that the large painting in the Statehouse

of Commodore Perry, he looks like a ragamuffin compared to Councilman Mead in his finery. I just wanted to say that.

Councilman Mead: Thank you, Mr. Mayor.

[Laughter]

Mayor Raizk: Anyway, it was a good time and I'm glad they are here, and all of those things do good things for the community. I hope they appreciated their stay. I think that is all I have.

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

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

President Ertel: Thank you. Auditor?

Auditor – Auditor David Hollingsworth: Nothing, Mr. President. Oh, one thing. I hope Mary Kay included in the packet that you received an update through the end of August. Okay. I just wanted to make sure that you got that.

President Ertel: Very good. Let's move on to Finance Committee. Sandy?

Finance Committee – Chairperson Sandy Mongold: Sure, the first item tonight is an ordinance making supplemental appropriations. Are there any questions?

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; Wallace, 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; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4933 passed as read.

Councilwoman Mongold: The second item tonight is an ordinance making miscellaneous transfers. Are there any questions?

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; Wallace, 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; Wallace, yes; Mead, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4934 passed as read.

Councilwoman Mongold: The next item is a resolution authorizing the mayor to enter into an agreement with Dayton, Power, Light Energy Resources. This is an energy-savings program and we are guaranteed 15% on our power bill. Am I correct, Mayor, that there possibly is another 3% on the street lighting.

Mayor Raizk: That is correct. Dave is here. By entering into this agreement then that will guarantee us a 3% reduction. The two agreements are tied together. What we are doing is entering into an agreement with DPL Energy. This is similar to the type of thing that you do yourself personally. It is now available for the commercial and governmental user that gives us that kind of discount. It is a significant savings to us for the next year. I did not bring my copy here, but Dave I thought it was in the neighborhood of...

Dave Hinman: It between \$160,000 and \$165,000.

Mayor Raizk: ...it is well over \$150,000. That does not include the savings in the street lighting. It didn't include the street lighting. We think it is a great program and really will give us a great cost savings to do that.

Councilwoman Mongold: Thank you.

A motion was made by Mongold and seconded by McKay to give the first reading only on the resolution Authorizing the Mayor to Enter into an Agreement with the Dayton Power and Light Energy Resources Inc./Miami Valley Lighting, Inc. Regarding Receiving an Energy Cost Discount Through December 31, 2012, for Qualifying City Accounts, and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2215 passed as read.

Councilwoman Mongold: That is all. Thank you.

Mayor Raizk: Dave, is this your last meeting with us?

Dave Hinman: I hope to be at more city council meetings, but it will be the last time representing DP&L.

Mayor Raizk: Well, I just want to say publically, you are a long-time resident, but we have really appreciated your service with DP&L and how you have assisted the citizens of Wilmington, most especially the City here as well. We have had a great working relationship. Not everybody knows, but I have your cell phone number. When I have gotten into trouble, I have called you and you have always responded. I really want to thank you for your service. Enjoy your retirement.

Dave Hinman: Thank you very much. It has been my pleasure.

Mayor Raizk: Do you want to introduce your new charge?

Dave Hinman: Yes, I would. This is Jeremy Bryant. We are making the handoff officially tonight. A lot of you know Jeremy already. His deceased father was an attorney in town. He had a practice here for 35 years. He was born and raised here. He lives about a mile and a half out of town. He has strong networks with the community and I am very pleased to be able to hand the baton to him and have a reason to believe he will leave me in his dust. He'll do a great job for you.

Mayor Raizk: Well, welcome Jeremy.

Jeremy Bryant: Thank you, sir.

President Ertel: Excellent. Thank you.

Councilman Jaehnig: Can we have your cell phone number?

[Laughter]

Jeremy Bryant: I have cards.

[Laughter & Banter]

President Ertel: Okay. Thank you. Water Committee?

Water Committee – Chairperson Mike Wallace: We have one item. Most of the council was at our last committee meeting where Jerry brought up the fact that we needed a couple of pieces of equipment. He was able to find the grants to do this. We would actually like to do all three readings on this so we can receive the grant and buy this equipment. Are there any questions?

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

Motion passed

Director of Law read resolution by title only.

A motion was made by Wallace and seconded by Wells to suspend the rules and give the second and third reading on the resolution by title only.

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

Director of Law read the resolution by title only.

A motion was made by Wallace and seconded by Wells to pass the resolution as read.

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

Motion passed.

President of Council declared Res. No. 2216 passed as read.

Councilman Wallace: That is all we have.

President Ertel: Thank you. Streets Committee?

Streets Committee – In the absence of Chairperson Peterson, Councilman Wells: No report.

President Ertel: Thank you. Solid Waste/Recycling?

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

President Ertel: Thank you. Wastewater/Sewer?

Wastewater/Sewer Committee: Chairperson Mark McKay: No report, Mr. President.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: We have two items tonight, Mr. President. The first item is the third and final reading on a resolution authorizing the submittal of a proposal with the Ohio Department of Transportation on a grant. That goes hand in hand with the public hearing that we just had on the transit authority. Are there any questions?

A motion was made by Jaehnig and seconded by McKay to give the third reading on the resolution Authorizing the Submittal of a Proposal with the Ohio Department of Transportation for a Grant Through the US DOT Federal Transit Administration (FTA), as Authorized under Federal Transit Law, as Codified, 49 USC Section 5311, Financial Assistance for Other than Urbanized Areas and Funds Available from the Ohio Public Transportation Grant Program and Executing a Contract with the Ohio Department of Transportation upon Grant Proposal Acceptance.

Motion passed

Director of Law read resolution by title only.

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

Motion passed

President of Council declared Res. No. 2217 passed as read.

Councilman Jaehnig: The second item tonight are three readings on an ordinance repealing ordinance 2476 and adopting a new schedule to provide for the observance of legal holidays for City employees and declaring an emergency. Most of us were there for that meeting this week also. Are there any questions?

A motion was made by Jaehnig and seconded by Mongold to give the first reading only on the ordinance Repealing Ordinance 2467 and Adopting a Schedule to Provide for the Observance of Legal Holidays for City Employees, and Declaring an Emergency.

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; Wallace, 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 Mongold to pass the ordinance as read.

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

Motion passed.

President of Council declared Ord. No. 2218 passed as read.

President Ertel: Is there anything else, Rob?

Councilman Jaehnig: Not for Judiciary. Thank you.

President Ertel: Thank you. Safety Committee please.

Safety Committee- Chairperson Rob Jaehnig: We do have one item under Safety. It is three readings on a resolution accepting a gift. This is in regards to a radar detector that was earned, to be honest, by compliance by our police department in how we perform things. It will be nice to add to our police units.

President Ertel: This is probably not a detector, is it?

Chief Weyand: It is a [Inaudible for Transcription] to track people.

President Ertel: Yes. Because I have a detector.

Councilman Jaehnig: Sorry.

[Laughter]

President Ertel: It doesn't work, I might add.

[Laughter and banter]

Councilman Jaehnig: Yes, that is a Python II Radar Unit, not a detector.

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

Motion passed

Director of Law read resolution by title only.

A motion was made by Jaehnig and seconded by Wells to suspend the rules and give the second and third reading on the resolution by title only.

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

Motion passed.

President of Council declared Res. No. 2218 passed as read.

Councilman Jaehnig: That is all tonight. Thank you.

President Ertel: Thank you. Let's take a look here at Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – Mr. President, there is no legislation, but I took the liberty of copying the most recent information from our Buy Local First Group website that they send out on a monthly basis. It looks to me, at a quick count, the month of October, in and around retail and entertainment events, we are going to have about 20 events this month. I won't read them all, but there are some things that are noteworthy. One is the Wilmington Wine Walk and hors d'oeuvres tasting the 22nd. There is going to be a General Denver Burns supper. I think our Mayor may be participating in that on the 23rd. Get Fit Screaming Five K is a charity-type event where they run screaming through the cemetery, I believe. The first time showing of the Rocky Horror Picture show is going to take place on the 30th, which is the Saturday night of Halloween weekend. Also, the downtown Wilmington Halloween Bash is during the day, which was a lot of fun last year here in the downtown, where folks can visit local merchants in costume and get gifts and treats. A month-long event is the 200 Years of Whispers, where you get to go in a group and visit haunted locations throughout the downtown. I talked to some folks who have done that. I guess it is a great lot of fun. You get a meal at the General Denver in addition. Samuel Walker's Haunted Basement. And, in November, everybody get ready for the Blue Jeans and Bow Tie Ball, which is a first time event as a fundraiser for Holidazzle. You'll hear more about that, I'm sure, soon. That is the 13th. Several of those things are Main Street sponsored.

President Ertel: Thank you. Parks & Recreation?

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

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

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

Councilman Wells: Mr. Mayor?

Mayor Raizk: Yes?

Councilman Wells: May I ask a question? I was going to talk to Larry about this tonight. Do you know anything about the status of the recycling packer that we were going to get?

Mayor Raizk: Yes, I do. We have contracted for the packer and we hope to have delivery here very shortly. Here in about a week. We've kind of been looking at two or three things. Actually, we have a good used one that is being redone for us. We like it. We were kind of concerned about the import type truck versus a more traditional type truck. We have that. It doesn't have very many hours on it. They are getting it all painted up and fixed up. Instead of that hundred and some thousand, we are down around \$89,000. They are working on that. In fact, I think they have most of the upgrades done that we have asked for already. We should have it very shortly.

Councilman Wells: Are we going to have a snowblade on it?

[Laughter]

Mayor Raizk: We'll hang a snowblade on it.

Councilman Wells: Thank you.

President Ertel: Okay. Thank you. Safety Director? Anything from them, David?

Safety Director – Mayor Raizk: No report.

President Ertel: Thank you.

Reports:

A motion was made by Wells and seconded by Wallace to approve the Income Tax Report – September 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.

Mayor Raizk: One quick thing...I know you have a note in here about budget. We're currently doing the budget. You heard something tonight that we are looking at for all of our enterprise funds. When Phil was discussing the allocated costs of some of our administration departments, we are looking at allocating costs, under some kind of fair system, that are administered for our enterprise funds although they do everything. You know, they are administered from City Hall and they do report in the line, so we are trying to defray some of the administrative costs onto those departments, without putting a burden on them. We're not trying to put anybody behind the eight ball. We are hopeful that this will take some pressure off of the general fund by doing what we call allocating costs. We have checked with the state and it is done, as you heard about tonight, as part of our transit authority. We are hopeful to do that as well. This is something that you are going to hear about a little later as we look at budgets. We'll be looking at line items that will allocate costs. Sometimes people report to the Service Director or report to the Safety Director or work with the Auditor's Office, and those things have always been carried without the burden of their costs being allocated to that department and figured into the budget. There are some formulas that we are using and trying to look at that. That is just an FYI.

President Ertel: Very good. That sounds very exciting.

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

Dave Hinman: 2058 N. State Route 134. I am here at the moment speaking for DPL Energy. Thank you, Mayor David, to separate DPL Energy from DP&L. I just want to state how it has been a pleasure working with the Mayor and Larry and the opportunity to serve the City of Wilmington in this capacity. It has been my great pleasure to be a part of that. On behalf of DP&L, which I am speaking for Jeremy now, I wanted to let the City know that DP&L is in the process of changing out their electric meters and putting what is known as an ERT, which is an Electronic Reading Transmitter, which will enable meters to be read by a vehicle driving down the road, basically with sound waves from that...

TRANSCRIPTION INTERRUPTED – END OF TAPE

Dave Hinman: ...it will be good for the business and should be completely transparent to the citizens.

President Ertel: I actually had one of those put in about a month ago. Are you sure they use sound wave? Are you sure it's not radio?

Dave Hinman: Actually, it is radio. You know, I'm more a marketing person than an engineer-type. Radio has sound and sound has...you know.

[Laughter and Banter]

President Ertel: Dave, thank you so much for your service.

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

Geoffrey Phillips: President, the Mayor addressed budget planning for 2011. The income tax report we gave you tonight, as you look at the third quarter numbers which are through the end of September, for first time since third quarter of '04, 24-consecutive months, we have unfortunately broken our string of consecutive quarters of \$1,000,000-plus in collections. So, the estimate we gave you for budget planning...we thought we might have a chance to break a million, but it didn't happen. We're very anxious to see what 3rd quarter withholding has been in our community. Those checks will not come in until the last days of October. I know the Auditor's Office is asking for an estimate for 2011, and we will have to wait until the early days of November to get that to you, to give you an official number. Two things will happen: October will give us the best assessment as to what has happened to employment in the community and then secondly, as I shared with Finance Committee, we have a number of businesses that took extensions and those extensions are due in October. We will see if we have a chance to pull back above a million. I did want to make sure that you were aware that that is the first quarter since third quarter of '04 that our collections were less than a million dollars

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

Rhoda Alale: Dr. Alale gave her address 1282 Ridge Road in the Warren Knolls area. She asked that language in the City of Wilmington's Green Enterprise Zone legislation be amended to include not only sustainable energy in terms electricity and fossil fuels but to include sustainable human energy as well. Alale stated that Wilmington has problem with environmental toxicity that causes humans to be unable to hold vitamins, minerals and enzymes in their body. She states that there has been, in recent years, a rise in cancer, autism, and neuromuscular disorders in humans (especially children) and pets and that that the EPA has identified Clinton County as a Zone 1 for ionized radiation and that ionized radiation poisons the human body. She stated that she has spoken to the Health Commissioner who says that they are not authorized to do any preventive activities. She stated the director of the local hospital also says there is nothing in the budget available for these activities. Dr. Alale would like to get discounted radon test kits for the citizens of this county through a program Ohio Department of Health. She asked council to draft a letter to request these free testing kits and do a public health campaign. She spoke in detail about the issues electromagnetic fields in the home due to increased technology and explained how these fields cause cells to spin backwards. She discussed her personal health problems as a result of these environmental issues. Dr. Alale stated that she has developed the first bio-harmonizers to sustain human energy. She went on to say that she has backing from the Cleveland Clinic in developing this shield and hopes to be able to distribute them locally to citizens with health issues associated with environmental energy toxicity. She went on to say that she would like to tie the manufacturing of these shields in with the Green Enterprise Zone. Dr. Alale stated that electrical devices and electromagnetic convergence in homes and workspaces have been identified as a national problem and allergy to electricity is now a medical diagnosis. She added that OSHA recently passed a law stating that if an employee works with anything electrical (even an electric pencil sharpener), the employer must provide them with radiation shielding. She then discussed ongoing harmonic shielding projects in progress in the community. Dr. Alale then did a demonstration, using Gary Hufferberger, of how environmental electrical and electromagnetic energies weaken the human body and how her bio-harmonizer reduces these effects. She stated that these technologies were born in Wilmington and that she would like to have an opportunity to engineer and manufacture the bio-harmonizers here; however, a firm in Mississippi has shown interest in them. Dr. Alale mentioned that January is the National Test the Radiation in your Home Month. She stated that she would like to see Wilmington set a precedent of leadership in the state and in the nation. She stated that we are the only Green Enterprise Zone, and we have the distinction of having the technology birthed in our community for sustainable human energy. She stated that the City of Wilmington could be the first municipal form that supports a technology directly for sustainable human energy. Dr. Alale thanked Council for their time.

President Ertel: Very good presentation. Thank you very much. Very interesting. Yes, Phil?

Phil Floyd: May I ask everyone in attendance to please sign a sheet over here indicating the attended the public hearing.

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 Mongold and seconded by Jaehnig to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk