

Wilmington City Council met on Thursday, March 3, 2011, with President Fred Ertel presiding.

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

Assistant Chief Duane Weyand was also present.

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

Council gave the Pledge of Allegiance to the flag.

President of Council – Fred Ertel: I would like to welcome two Boy Scouts in the audience witnessing a council meeting. I am sure if you have any questions, stick around afterwards and we will be glad to answer them for you, because we do go rather quickly. We're here to certainly enhance your understanding of the meeting.

A motion was made by Wells and seconded by Mead to approve the minutes of the last regular meeting, February 17, as received. Motion passed.
Minutes approved as received.

President Ertel: That finishes my portion. Mr. Mayor?

Mayor – Mayor Raizk: Thank You, Mr. President. I am going go down front for this. This is the best part of this job. A month ago, while we were at council, we were having an incident here in the City where life was at peril. A couple of our dedicated safety employees, most notably Sgt. Ron Cravens and also Lt. Ed Myers (who is not here tonight. We will honor him at another meeting) were able to get out and save the lives of some young children and an adult who were caught in a fire here in Wilmington. You know, we overuse the term heroes all the time. We hear it about everybody, whether they are a sports star or a rock star or whatever, but this is a true hero. They are here working every day doing the job without anybody telling them what to do. We are very proud of you, sir. Congratulations. We actually have a plaque that is not quite ready yet, but along with that, we would also like to present you with our Bicentennial coin. We will have the plaque ready for you at the next meeting. We just want to tell you, as a community, how much we thank you and appreciate you. I think everybody...we need a round of applause.

[Applause]

Mayor Raizk: You have a fine-looking young family. That's wonderful. As I say, we are truly blessed to have folks like Ron working for us and taking care of the citizens. Also, Lt. Myers. We will honor him as well. While we are talking about honoring, we will have shortly, a new addition to our signs at the entrances of our city. We have a new state champion, Josh Quallen. The winter sports teams have had an outstanding year. Under the tutelage of Coach Wallace (I still call him coach – I'll always call him coach.), we will be making a presentation of the sign at their winter sports banquet on Tuesday night. We think it will be ready in time, so hopefully we will be able to do that. We will ask them to come to council at some other time, but we think it's a lot more fun if they get to have that sign in front of their peers...with all of their peers and all of their parents there, instead of a bunch of old people like us. This way, they'll be able to enjoy that. We are very excited to make that presentation. We do want to honor our young people for their achievements. Other than that, the only other thing I have to say, as you saw in the paper, we have been working diligently in job creation in Wilmington. We have a good foundation. We're continuing to work on additional companies, but finally, I believe we turned the tide and the news that is starting to come to us is good news

instead of bad news. We will continue to make sure that that good news keeps coming. That is all I have to say. Thank you, Mr. President.

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

Asset, Acquisition and Use –Chairperson Sandy Mongold: We have no legislation tonight, but I would like to say that on March 9 at 5:30 we will have an AAU/Joint Judiciary meeting.

President Ertel: Thank you. Mr. Auditor?

Auditor –Auditor David Hollingsworth: I don't have anything tonight, but I will be, as soon as we get the cash accounts reconciled through the end of February, preparing a report on the general fund and then we can schedule a meeting to discuss that. That is all I have.

President Ertel: Very good. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: The first item we have tonight is an ordinance making 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 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. 4957 passed as read.

Councilwoman Mongold: The second item tonight is a resolution authorizing payment of expenses incurred in a prior fiscal year, the "then and now."

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

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. 2227 passed as read.

President Ertel: Is there anything else?

Councilwoman Mongold: No, thank you. We'll let you know when we schedule the next finance meeting.

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

Water Committee – Chairperson Mike Wallace: I have a couple of items this evening. At the last meeting, we voted on a resolution just to get the bid out for the chemicals that we use on an annual basis. If there are no other questions from council or anybody else, I would like to put this up for a second and third reading.

Councilman Jaehnig: I am showing this as amended. What has changed since our last meeting?

Service Director Reinsmith: I think they made it an emergency.

Clerk Laura Curliss: Because he has to do it right away. Right?

Service Director Reinsmith: Mike asked me before the meeting last time, do we really need to do this in three readings, and I said, “No.” Then, after I did that, I contacted everybody and they said we were all set to bid.

Councilman Wallace: Does that mean we need to suspend the rules and give the second and third reading?

Councilman Jaehnig: We will need to amend it first, won't we?

President Ertel: That is correct.

A motion was made by Wallace and seconded by McKay to amend the resolution.

Motion passed.

Resolution amended.

A motion was made by Wallace and seconded by Jaehnig to suspend the rules and give the second and third reading on the resolution Authorizing the Advertising for Bids and Purchase of Chemicals for the Water Department and Declaring an Emergency, as Amended.

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 Jaehnig 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. 2228 passed as read.

Councilman Wallace: The second item we have is someone has applied to have access to water service right outside the city – right at the edge of the city.

Paul Hunter: Are the lines already there? Is this just for a tap?

Councilman Wallace: This is just for a tap. Are there any questions?

A motion was made by Wallace and seconded by Wells to give the first reading only on a resolution Approving Access and Water Service to a Property Outside of the City and Declaring an Emergency.

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. 2229 passed as read.

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

President Ertel: Thank you. Streets Committee?

Streets Committee – In the absence of Chairperson Peterson, Councilman Wells: Mr. President, in Cindy's absence tonight, we have three readings on a resolution adopting preliminary consent legislation for resurfacing portions of State Route 73 in the City of Wilmington and declaring an emergency. Is that correct, Larry...an emergency?

Service Director Reinsmith: Yes. What this project does, and it's not costing us a penny, this project is a result of the new bypass. What it does, once the bypass is done and open, ODOT will vacate SR 73 to the City of Wilmington and it becomes ours. Before they give it to use, they are going to fix it up. They will make all of the repairs. We could at least find some areas where we think we need guardrails going out 73 West and do everything. Then they are going to pave it all and then they will turn it over to the City. It's 73 west from the intersection of Wayne Road by the convenient food mart all the way out past Cape May and then on the other side of town from 22 going out to Airborne Road, like in front of Wal-Mart, that stretch there also. At the same time, they will have to change all of the signs throughout the City that talk about SR 73. That road will now become Wayne Road all the way out to where it ends in the cul-de-sac by Mitchell Road. They will actually cut that road off. To go on to the interstate, you'll have to turn right onto Mitchell Road and then hit the bypass and then go on out. This is the preliminary legislation We have a lot of work to do. I'll be back at some point with final legislation, but ODOT needs this by March 18. We just got it, but she needs it back by March 18.

Councilman Wells: Are there any more questions or discussion?

A motion was made by Wells and seconded by Wallace to give the first reading only on a resolution Adopting Preliminary Consent Legislation for Resurfacing Portions of S.R. 73 in the City of Wilmington from the Northern Corporation Limit (SLM 7.96) to the Intersection with US 22/SR3 (SLM 8.47) and also from the Intersection with US 22/3 (SLM 11.91) to the Southern Corporation Limit (SLM 12.20) and Declaring an Emergency.

Motion passed

Director of Law read resolution by title only.

A motion was made by Wells and seconded by Wallace 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 Wells and seconded by Wallace 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. 2230 passed as read.

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

Service Director Reinsmith: Mr. Chairman? There is a little side note to that project too. On 73 West from Nelson Road out to the corp line, we are also going to have to annex that piece of highway. There is kind of a little stretch there that is not in the City, so we will clean that up too as we move through this process.

Paul Hunter: And the houses too?

Service Director Reinsmith: There is a little island there. You know that.

Paul Hunter: I do. They are on septic tanks.

President Ertel: Okay. Thank you. Solid Waste/Recycling?

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

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 multiple items tonight, Mr. President. I am going to let Mr. McKay handle item #1.

Councilman McKay: Item A is a second reading on the resolution that we did the first reading on at the last meeting in support of implementing a bio-preferred purchasing policy for the City of Wilmington.

A motion was made by McKay and seconded by Wallace to give the second reading only on the resolution Expressing Support for Implementing a Bio-Preferred Purchasing Policy for the City of Wilmington, Ohio.

Motion passed.

Director of Law read resolution by title only.

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

Councilman Jaehnig: Item number two is the second and third reading on a resolution authorizing a contract to extend legal services to indigent persons charged with a violation in the city. This is basically the public defenders contract and a normal renewal at this time. Are there any questions in regards to that?

A motion was made by Jaehnig and seconded by McKay to suspend the rules and give the second and third reading on the resolution Authorizing a Contract to Extend Legal Services to Indigent Persons Charged with a Violation of City Ordinances.

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. 2231 passed as read.

Councilman Jaehnig: Our third item tonight is cleaning up some of the ward boundaries. We had some annexation over off of Progress Way that needed to be assigned to a ward. It is finally freed up for us to do that. We would like to get it into place before the upcoming election, so we are going to request three readings on that tonight and declare an emergency. Are there any questions in regards to that?

A motion was made by Jaehnig and seconded by McKay to give the first reading only on the ordinance Amending Codified Ordinance Sec. § 103.03 Establishing the Ward Boundary of Ward 2 in the City of Wilmington, Ohio, 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 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. 4958 passed as read.

Paul Hunter: Mr. President. I have a question.

President Ertel: Yes, Paul.

Paul Hunter: You probably needed to get the enterprise zone map up at ODOD be shown to reflect that.

President Ertel: Good point – to make sure the footprints are the same.

Mayor Raizk: We have several places that need to be amended, so we are trying to do them as one rather than bit by bit, because we do have some annexed property and some anticipated annexed for which we will need to do that as well.

Councilman Jaehnig: Are there any other comments? The last item on Judiciary, Cindy Peterson has been serving as the council representative for the CVB and is stepping

down from her position and we need to appoint a new person to sit on the CVB board as a representative of council. The resolution tonight will be three readings to approve Mike Wallace as our new board representative. Are there any questions?

A motion was made by Jaehnig and seconded by Mead to give the first reading only on a resolution Appointing Council Member Mike Wallace as the City's Representative to the Clinton County Convention and Visitor's Bureau.

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

Motion passed.

President of Council declared Res. No. 2233 passed as read.

Councilman Jaehnig: I would just like to say that we really appreciate Cindy's service on the CVB board and look forward to Mike filling her shoes. That is all we have for Judiciary. Thank you, sir.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: We have one item tonight, and it is authorizing a licensing agreement with Greenlight Collectibles. We have been approached by a model car – like a Matchbox car almost – company that wants to duplicate our police cruisers with the City logo on them. While I don't know that it will bring the City real fame or anything of that nature, there is an expressed interest from many in our police department to have those available and access. I am sure if I was a policeman, I would love to have a copy of my car also for my kids. Tonight we are asking council to approve three readings and declare emergency so they can proceed forward with that. Are there any questions on that?

A motion was made by Jaehnig and seconded by McKay to give the first reading only on a resolution Authorizing the Mayor to Sign a License Agreement Between the City of Wilmington and Greenlight Collectibles to License the Use of the Image of the City of Wilmington Police Vehicles for Reproduction in Die Cast Form of 1:64 Scale 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; 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. 2234 passed as read.

Councilman Jaehnig: Thank you.

President Ertel: Very good. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – No report, Mr. President.

President Ertel: Thank you. Parks & Recreation?

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

President Ertel: Service Director?

Service Director- Service Director Larry Reinsmith: No report.

President Ertel: Safety Director?

Safety Director – Mayor Raizk: No report, Mr. President.

Reports:

A motion was made by Wells and seconded by Mead to approve the Income Tax Report – February 2011 and the Revised Hotel Lodging Tax Report – 4th Quarter 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.

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 McKay to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk