

Wilmington City Council met in regular session on Thursday, May 21, 2015, at 7:30 p.m. with President Pro Tem Mark McKay presiding.

Call to Order

Roll Call: Jaehnig, present; Spicer, present; Stuckert, absent; Mead, present; Miller, present; Milburn, present; McKay, present.

Chief Weyand was also present.

A motion was made by Mead and seconded by Miller to excuse the absent member (Stuckert).

Motion passed. All yeas.

Absent member excused.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

Moment of silence observed

President of Council

A motion was made by Milburn and seconded by Miller to approve the minutes of the last regular meeting, May 7, as presented.

Motion passed. All yeas.

Minutes approved as presented.

President Pro Tem McKay gave notice of a Public Hearing on the Rezoning Petition of LT Land Development regarding a certain tract or parcel of land located on Rombach Avenue described as Lots 108, Section 1 of the Williams Farm Subdivision in the City of Wilmington, Ohio from I2 Industrial to B3, Roadside Business. The public hearing will be held on Thursday, July 2, 2015, at 7:30 p.m. in Council Chambers.

President Pro Tem McKay gave notice of a Public Hearing on the Rezoning Petition of Stephanie Butler regarding a certain tract or parcel of land located on 691 Piedmont Street in the City of Wilmington, Ohio, from R-1 Single Family to B1(a), Neighborhood Business. The public hearing will be held on Thursday, July 2, 2015, at 7:30 p.m. in the Council Chambers.

President Pro Tem McKay announced that the rezoning petitions are on file at the Mayor's office.

President Pro Tem McKay – Councilman Stuckert will not be able to attend meetings for a while, so the committee chairs have requested that the committee assignments be revised. I will be serving on the Parks Committee and Councilman Spicer will be added to Judiciary.

Mayor Riley – These appointments have been made by President of Council Cindy Peterson.

A motion was made by Jaehnig and seconded by Miller to approve the revised committee assignments for 2015 as presented.

Motion passed. All yeas.

Revised committee assignments approved.

President Pro Tem McKay opened the Public Hearing for a rezoning request from John and Michelle Adkins to rezone Lot 173 of the Lakewood Subdivision located at 15 Regal Drive from R-1, Single Family Residential, to R3(a) Multi-Family Residential.

Councilman Jaehnig – John and Michelle are in audience and can answer questions. The rezoning has the approval of the Planning Commission. This is a duplex that was a

single-family home when it was originally built. A previous owner expanded upon the home and made it a duplex. It has been a duplex for over 20 years. It has changed hands multiple times but no one noticed that it was not zoned appropriately. John and Michelle found out about the zoning during a refinancing process. Many of the surrounding properties are multi-family residence. It is not a spot zoning. The property has been a multi-family residence for 20 years. The public hearing is to give area residents an opportunity to make comments or ask questions.

Steve Sawzin asked what is meant by spot zoning.

Councilman Jaehnig – It is when you take a property and change the zoning but there is no other like zoning next to it. For example, it would be zoning a property R3 in the middle of an R1 neighborhood. The city generally prefers not to do it.

Councilwoman Miller – Is there a reason this is three readings and an emergency?

Councilman Jaehnig – They cannot continue with the equity loan until this is completed.

Councilwoman Miller – Are the neighbors okay with this?

Councilman Jaehnig verified with Clerk Brenda Woods that the neighbors were individually notified by certified mail and there were no responses.

Councilman Mead – I have a multi-family property in a single-family area, so I have your sympathy.

Seeing no further comments, President Pro Tem McKay closed the Public Hearing.

A motion was made by Jaehnig and seconded by Milburn to give the first reading only on the ordinance Changing the Zoning of Real Property Located in the City of Wilmington, Ohio and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Spicer, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Spicer, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes.

Motion passed.

President Pro Tem of Council declared Ord. No. 5225 passed as read.

Mayor - Mayor Riley presented a proclamation recognizing Police Month. He stated his appreciation for the force and for the work done by Chief of Police Duane Weyand.

Chief Weyand presented a history of the two officers, Officer Van Doren and Officer McCreight, who have been killed in the line of duty at the City of Wilmington.

WHEREAS, Since the day this city was founded, law enforcement officers have played an important role in safeguarding the rights and freedoms which are guaranteed us by our Constitution and the ordinances of this city; and

WHEREAS, The City of Wilmington has lost two officers in the line of duty in the past 200 years, Officer John Van Doren and Officer Emery McCreight; and

WHEREAS, It is fitting and proper that we express our gratitude for the dedicated service and courageous deeds of law enforcement officers and for the contributions they have made to the security and well-being of all our citizens; and

WHEREAS, It is important that our citizens know and understand the problems, duties, and responsibilities of our police officers and the necessity of working with them and cooperating with them in maintaining law and order; and

WHEREAS, For nearly 50 years, May 15 of each year has been recognized as Peace Officers Memorial Day and the calendar week during which May 15 occurs as Police Week

NOW, THEREFORE, I, RANDY RILEY, Mayor of the City of Wilmington do pay honor to Peace Officers Memorial Day on May 15 and hereby designate the week of May 10 through May 16, 2015 as CITY OF WILMINGTON POLICE WEEK and further recognize the service given by the men and women who, night and day, protect us through enforcement of our laws, and in honor of those brave men and women who have been injured or have given their lives in the performance of their duties.

Mayor Riley – Memorial Day weekend is coming up. Many of you will be traveling to Sugar Grove Cemetery to visit friends and family you have lost. I ask you to look at that cemetery and let me know what you think. I think it looks better than it has in many, many years. Thank you, Larry Reinsmith, for the work you have done. He started an adopt-a-stump program with all of the city departments to get them out of there. The people we are contracting with for mowing and trimming are also doing a great job. They have also made improvements to the main gate.

Auditor - Auditor David Hollingsworth – I want to update council on the upcoming short-term notes that we are going issue to refund the 2005 bonds that were outstanding. We had a teleconference with Moody's Investment Services to update them on the financial status of the city so they can update our rating and give us a rating on the notes. The meeting went well. I think we were able to convince Moody's to maintain our A1 overall credit rating for the city. There are three ratings on short-term obligations like we are about to issue. There is a Moody Investment Grade (MIG) and it can be MIG1 (best), MIG2 or MIG3 (worst). We were able to get a MIG1 rating on these notes. They are supposed to sell on the market next Tuesday. The official statement for a bond issue is very thick. The disclosure for the notes is three pages. So, the time involved with notes in terms of outside counsel and the bond underwriter is a lot more limited than when we issue bonds. The other purpose of the meeting is to try to get ready in anticipation of having to go out in the market and potentially issue bonds in a couple of years when the 2007 bonds come due in rolling these notes. We want to let Moody's know that the city is doing well post-DHL. The mayor did an excellent job updating them on new employment and development in the city. I was pleased with the ratings. By next week we should know what interest rate we will have to pay.

Paul Hunter – Did the carryover come into play in the ratings?

Auditor David Hollingsworth – It does. They are working from historical information. Our most recent audited financial statements were 2013. We updated them on what we are doing currently and explained that council had decided to take the General Fund down to pave some streets. We wanted to explain to them that the infrastructure was in dire need of being updated and we felt comfortable with the increase in the income tax revenues and felt comfortable taking some of our reserve and using it to update the streets. They seemed to accept that and it didn't affect our rating.

Councilman Mead – At one point last year, Wilmington bought its own debt. Is this one of those things or will it go outside?

Auditor David Hollingsworth – This will probably go outside.

President Pro Tem McKay expressed his appreciation to the Auditor and Administration for the work they do with the investment firms.

Auditor David Hollingsworth – When you speak to Moody’s, you are speaking to someone out of New York or Chicago. Most of them specialize in a certain area of the country that they are rating. Sometimes they know more about Wilmington than we do.

Mayor Riley – When I was a County Commissioner in 2006, we were required to fly to Chicago for a face-to-face. The county had almost no carryover at that time. The woman from Moody’s said we needed to have some buffer. Recently, I explained to Mr. Lazarus from Moody’s that in council we discussed a 25% minimum carryover as a target. I explained that we consciously were taking it down to pave some of our streets. They thought that was great. Even if we keep 10-15%, we are okay, as long as we are consciously watching our funds and not letting it get completely away from us. They were impressed with the significance we place on the carryover.

Asset, Acquisition and Use. - Chairperson Mead had no report.

Water Committee - Chairperson McKay - We are considering a meeting on Thursday to discuss the leak situations that have been corrected. We also will start a discussion about the overall effect those things will have on our water funds.

Mayor Riley – Last year, when we reviewed the RCAP report, we committed as a council to reviewing it this year as well. It needs to be on the agenda as well.

Streets Committee - Chairperson McKay presented legislation on a resolution accepting a grant from the Ohio Development Services Agency (629) Fund for the Airborne Connector project.

A motion was made by McKay and seconded by Jaehnig to give the first reading only on a resolution Accepting a Grant Award of \$514,000 from the Ohio Development Services Agency Roadwork Redevelopment (629) Fund for the Airborne Connector Project, and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Director of Law read the resolution by title only.

A motion was made by McKay and seconded by Milburn to pass the resolution as read.

Roll call: Mead, yes; Miller yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Motion passed.

President Pro Tem of Council declared Res. No. 2413 passed as read.

Councilman McKay - We will also be discussing having a Streets Meeting on Thursday.

Solid Waste/Recycling - Chairperson Jaehnig – We are in the process of scheduling a Solid Waste Committee meeting to review the proposed business plan that Braden Dunham has put together.

Wastewater/Sewer Committee - Chairperson Milburn had no report.

Judiciary Committee - Chairperson Jaehnig presented the third reading on legislation adopting the Wilmington Comprehensive Plan. The city has not had a Comprehensive Plan since the 1970s. It is a document that gives direction for the city on how it wants to move forward, especially in terms of development. The plan was put together by Taylor Stuckert. It is a very important piece of legislation and I am very excited about it.

Councilman Mead – It is misleading to say that we have not had a comprehensive plan since 1978. We have had a plan but it has not been updated.

Councilman Jaehnig – You are correct. It has not been updated since the 1970s. Considering the age and the number of things that have changed, it was a pretty good

plan. But traditionally, a Comprehensive Plan is supposed to be updated every five years and completely rewritten every ten years and visited every year.

Councilwoman Miller – Is this something we can direct to be done more often so it doesn't wait so long?

Councilman Jaehnig – I think when it is not actively being used, it is forgotten. I think the most important thing we need to do is actively use it. Once the legislation is passed, it will be bound and available for anyone who wants it.

Mayor Riley – There is also a commitment from Taylor at the Clinton County Regional Planning Commission to review it on a much more regular basis.

A motion was made by Jaehnig and seconded by Miller to give the third reading only on a resolution Adopting the Wilmington Comprehensive Plan.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

President Pro Tem called for vote.

Motion passed. All yeas.

President Pro Tem of Council declared Res. No. 2414 passed as read.

Councilman Jaehnig – Since we just completed a campaign season, I have said this multiple times in the past, I think it bears talking about again. Council and the government, while it can help pursue businesses to move to the community and that is part of our economic development responsibilities, we do not have the responsibility or the right to tell a business they do not have the right to move to our community if they are meeting all of our guidelines, they own their piece of property, and they are not asking for any special restrictions. The business market will dictate whether they move forward or not. The first priority is bringing in large employers. After those are in place, then the commercial development will fall into place. While Wilmington is a wonderful community, the size does not dictate establishing some restaurants that people would like to see here. There are things coming soon that we are excited about.

Councilman Jaehnig introduced legislation authorizing the extension of terms of a UDAG loan to the DWCIC. The DWCIC took out a UDAG loan seven years ago for property in the Sugartree Corridor. The building currently houses Quali-Tee. They have asked us to extend the loan for seven years. The way the city has done this in the past, when the DWCIC develops a piece of property and then sells it, they pay the loan in full. Then they move into the next piece of development. They are asking us to renew their UDAG loan for another seven years with the same terms.

Councilwoman Miller – With another option to renew another seven years? So that would be a 21-year loan?

Councilman Jaehnig – Yes.

Councilwoman Milburn – Can they go even longer than that?

Councilman Jaehnig – That is up to council.

Paul Hunter inquired the amount outstanding on the Quaker Apartments UDAG loan. Brenda Woods answered that it was a little over \$200,000.

[Brief discussion of Quaker Apartments UDAG]

Councilwoman Miller – On the Quali-Tee property, the original loan was \$75,000 and a year later they came back and asked for \$25,000, so this renewal is for \$100,000. Does that mean in seven years they've made no progress toward the principal amount owed?

Councilman Jaehnig – There are no payments set up on this. They pay it off in full once they develop and sell the property. The only reason they came back for the increase was once they started doing work on it, it turned out that they had to replace the HVAC on the building.

Councilwoman Miller – We are renewing again on a property that hasn't made any principal payments in seven years.

Councilman Jaehnig – It was set up intentionally that way. The way the city had done it in the past, when they picked up a piece of property they paid it in full once the piece of property was sold.

Councilwoman Miller – So, in our legislation it says we don't expect payment until the property is sold?

Councilman McKay – The DWCIC is a unique borrower. As Councilman Jaehnig explained, these properties are purchased for future economic development. The DWCIC does not have the income to reduce the amount of the loans. Once again, it is hoped that when the properties sell, it will be sold for enough to recoup the monies and then go back into the revolving loan fund.

Councilman Jaehnig – The plan at the time that started was to pick up as much as possible of those two blocks where redevelopment is planned. That is one reason the UDAG loan for the Escape was approved as part of that entertainment district redevelopment. That is why the funds are being sunk into Xidas Place. The majority of the northern block is now owned by DWCIC.

Councilwoman Miller – In theory, even though it is an arm of Wilmington, we are a landlord for Quali-Tee. I want to understand it if I'm going to vote on it.

Councilman Jaehnig – There is a separate DWCIC board. The rent for Quali-Tee is used to upkeep the building, pay the utilities.

Mayor Riley – They can buy and sell property without going through the bid process. Whereas, the only people we could dispose of property to without going through a bid process is a Community Improvement Corporation. We can take property, deed it over to a CIC. No money comes to the city. We can't sell it to the CIC, we basically deed it over to them, and then they can operate the property. They can sell it or whatever, but it is purely for economic development, job creation or even sustaining an area. We want to make sure that the Sugar Tree Corridor is a quality area. There are some properties there that should be torn down. This is one that we did not want to get out of control in that area. They CIC is managing it at basically no cost. They are making some money off of it, but it is minimal.

Councilman Jaehnig - Some of the funds that they have brought in they have used to improve that area – the parking area next to the newspaper was developed by DWCIC. They make donations to Main Street. I believe they pay for the flowers that go up in Main Street. They work as many different angles to helping the community as possible.

Paul Hunter – Councilwoman Miller, the short answer is the city has no control over the sales and purchase and what they want to do because they are an independent entity like the CIC.

Councilwoman Miller – I think I understand it better now.

Councilman McKay – This is only a first reading.

A motion was made by Jaehnig and seconded by Milburn to give the first reading only on a resolution Authorizing the Extension of Terms of a Certain UDAG Loan to the Downtown Wilmington Community Improvement Corporation (DWCIC) and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.
Director of Law read ordinance by title only.

Jaehnig requested that the second and third readings be on the Agenda for the next meeting.

Safety Committee - Chairperson Spicer presented the third reading on legislation authorizing a Safety Intervention Grant for the Fire Department.

A motion was made by Spicer and seconded by Jaehnig to give the third reading only on a resolution Authorizing the Mayor to Submit an Application for a Safety Intervention Grant of Up to \$40,000.00 for a Cot and Stair Chair from the Ohio Bureau of Workers Compensation and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

President Pro Tem called for vote.

Motion passed. All yeas.

President Pro Tem of Council declared Res. No. 2415 passed as read.

Finance Committee - Chairperson Miller presented legislation establishing new funds: OPWC Water Tower Project, OPWC Airborne Connector, and JobsOhio Grant.

A motion was made by Miller and seconded by Mead to give the first reading only on the ordinance Establishing a New Fund.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Mead, yes.

Director of Law read the ordinance by title only.

A motion was made by Miller and seconded by Mead to pass the ordinance as read.

Roll call: Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Mead, yes; Miller, yes.

Motion passed.

President Pro Tem of Council declared Ord. No. 5226 passed as read.

Councilwoman Miller presented legislation making miscellaneous transfers: From Capital Equipment to Police Radio Maintenance in the amount of \$2,200.00 to put more durable cases and antennae on the new radios.

A motion was made by Miller and seconded by Mead to give the first reading only on the ordinance Making Miscellaneous Transfers.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: McKay, yes; Jaehnig, yes; Spicer, yes; Mead, yes; Miller, yes; Milburn, yes.

Director of Law read the ordinance by title only.

A motion was made by Miller and seconded by Mead to pass the ordinance as read.

Roll call: Jaehnig, yes; Spicer, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes.

Motion passed.

President Pro Tem of Council declared Ord. No. 5227 passed as read.

Councilwoman Miller introduced legislation to make supplemental appropriations: from General Fund to Indigent Burial, \$750.00. Councilman Jaehnig brought up a very valid point at the committee meeting: there seems to be an increase in these. We are reviewing in Judiciary some of our legal protection.

Councilman Jaehnig – The legislation has already been written by the Law Director and did have its first viewing by committee tonight. We are hoping to have it ready by the next council meeting. While it appears the burials are going up, the reality appears that we may have been denying things that the state says we can't. We didn't have very good clarification about the process or what the regulations would be, so we are now clarifying and cleaning it up.

A motion was made by Miller and seconded by Mead to give the first reading only on the ordinance Making Supplemental Appropriations.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Spicer, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes.

Director of Law read the ordinance by title only.

A motion was made by Miller and seconded by Spicer to pass the ordinance as read.

Roll call: Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Motion passed.

President Pro Tem of Council declared Ord. No. 5228 passed as read.

Councilwoman Miller introduced supplemental appropriations pending Budget Commission approval: General Fund to LEAP – Consultant Services, \$30,246. The mayor was able to negotiate the original note of \$83,000 down to \$30,000, so we would like to take note and appreciate those cost savings. Waterworks System Replacement Fund to Replacement Costs, \$31,175.00 for a match for the aerator project for the water tower. From OPWC Water Tower Project Fund to Project Expenses, \$117,274.00. From OPWC Airborne Connector Project Fund to Project Expenses, \$810,536 and JobsOhio Grant Fund to Project Expense, \$514,000.00 – both of these are grant funds for the Ahresty Project. From Street Lighting Fund to Street Lights, \$10,000 for replacements and additions to our street lighting.

Councilman Mead – It may look like a lot, but all of these things have been through committee and approved.

Councilwoman Miller – A lot of it is grant money.

A motion was made by Miller and seconded by Spicer to give the first reading only on the ordinance Making Supplemental Appropriations.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Director of Law read the ordinance by title only.

A motion was made by Miller and seconded by Spicer to pass the ordinance as read.

Roll call: Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Mead, yes.

Motion passed.

President Pro Tem of Council declared Ord. No. 5229 passed as read.

Councilwoman Miller – The final two pieces of legislation are the notes that were explained earlier by the Auditor.

A motion was made by Miller and seconded by Mead to suspend the rules and give the second and third reading on the ordinance Providing for the Issuance and Sale of Notes in the Aggregate Principal Amount of \$400,00, in Anticipation of the Issuance of Bonds, for the Purpose of Discharging at Maturity, Together with Other Lawfully Available Funds, Notes Heretofore Issued to Pay Part of the Cost of Constructing Additional Vertical Expansion to the City's Landfill Facility, and Paying Related Lawful Costs, and Declaring an Emergency.

President Pro Tem called for a vote.

Roll call: Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Mead, yes; Miller, yes.
Director of Law read the ordinance by title only.
A motion was made by Miller and seconded by Mead to pass the ordinance as read.
Roll call: McKay, yes; Jaehnig, yes; Spicer, yes; Mead, yes; Miller, yes; Milburn, yes.
Motion passed.
President Pro Tem of Council declared Ord. No. 5230 passed as read.

A motion was made by Miller and seconded by Mead to suspend the rules and give the second and third reading on the ordinance Providing for the Issuance and Sale of Notes in the Aggregate Principal Amount of \$237,000, in Anticipation of the Issuance of Bonds, for the Purpose of Discharging at Maturity, Together with Other Lawfully Available Funds, Notes Heretofore Issued to Pay Part of the Costs of Constructing Improvements to Davids Drive, and Paying Related Lawful Costs, and Declaring an Emergency.

President Pro Tem called for vote.

Roll call: Jaehnig, yes; Spicer, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes.
Director of Law read ordinance by title only.

A motion was made by Miller and seconded by Mead to pass the ordinance as read.

President Pro Tem called for vote.

Roll call: Spicer, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes.
Motion passed. All yeas.

President Pro Tem of Council declared Ord. No. 5231 passed as read.

Cemetery Committee – Chairperson Mead – We are in the process of planning a Cemetery Committee meeting.

Downtown Revitalization Committee – Convener McKay – We had a Wine Walk that was attended by 300 people last Friday. It is nice showcase for the downtown business.

Councilwoman Miller – If it continues to sell out, are they going to expand the ticket sale availability?

Mayor Riley – This year they had fifteen stops. They started fifteen people at each stop. If they expand it to twenty stops they could do more, but it would become the Wine Stagger.

Parks and Recreation Committee – Councilwoman Milburn announced that the Parks Department had done a very good job in creating a dog park. The goal is to open in early June 2015. We are nearing that date. We would like to adopt dog park rules.

Councilwoman Milburn gave an overview of the Dog Park Rules.

Councilman Mead – Dogs are not permitted to remain on a leash once inside a gate. The first time I take my dog to the dog park, I'm not going to turn him loose with all of the other dogs unless I keep him on a leash for a while. I think we should change that a little bit.

Councilwoman Milburn – I think there are some safety concerns with having humans in there with the dog on a leash. I know, in particular, my dog if on a leash with other dogs around, it can cause some issues where he might start to get a little defensive. Maybe he is protecting me. It is allowing the dog to be a dog. If you have an aggressive dog, they shouldn't be in the dog park.

Councilwoman Miller – It actually says that you have to stay in the dog park with your dog and in view of the dog. You don't leave them. It also says you must have a visible leash at all times; you just don't have them on it. That was also a piece that I had a concern with, but we are under a time crunch.

Councilman Jaehnig – We actually can either approve or disapprove this. The Park Board has written the legislation and I do not believe we have the ability to rewrite portions of it. We either accept it as is or send it back to them.

Mayor Riley – The purpose of the leash is to get him in and out of the park. If he is exhibiting aggressive behavior, you don't take him off the leash.

Kelsey Swindler – It is a safety hazard to have a leash on a dog inside a dog park. One thing when creating the rules, we have to reference insurance standards. So, we look at all the other dog parks. Our insurance company also covers other parks. We have to go by the regulations of what is standard for a dog park. A leash is a safety hazard because it can choke another dog. They are starting play and one of them gets wrapped up in a leash...I've seen it almost happen before. If you think, you've got a six-foot cord hanging from a dog and they're playing with other dogs and getting wrapped up in it. It also changes the dog's behavior. They tend to get more defensive. If there are questions, Lori Williams researched all of the insurance ramifications in construction of those rules. The rules will be posted very visibly at the park. We are creating pamphlets right now that explain all of these rules. They will be posted, shared and publicized.

Councilwoman Milburn – It is a standard for dog parks.

A motion was made by Milburn and seconded by Jaehnig to give the first reading only on a resolution Adopting the City of Wilmington Parks and Recreation Dog Park Rules; and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Director of Law read the resolution by title only.

A motion was made by Milburn and seconded by Miller to pass the resolution as read.

Roll call: Mead, yes; Miller yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Motion passed.

President Pro Tem of Council declared Res. No. 2416 passed as read.

Service Director - Service Director Reinsmith – When we got the cemetery, we didn't know anything about them. It looked like a tornado ran through it and we had a problem. Our focus was to clean it up and get it looking good for Memorial Day. I think it is in very good shape. We are continuing to work on improving it. We have some markers down. Once we get through the holiday, I am going to start a program where we take a section at a time and we move them. We will get some professional help getting them repaired and taken care of. I think it is working. We reworked the fees and reworked the rules. We've lowered the prices. In the seven weeks we have fifteen funerals and have sold 25 lots. We do need to have a meeting because I need to move some money around. I would like to have that before Finance and for the next council meeting.

Paul Hunter – Did you get the money from the state that was lying in escrow?

Service Director Reinsmith – Yes, but I haven't really spent any of that.

[Discussion of line items of cemetery fund]

Service Director Reinsmith – They did sell the house and close on it. That will be about \$45,000. We opened the bids on street paving. We had two bids. Cox came in as the low bidder at \$309,000 on the 18 streets. We sent the contract out yesterday. Denny and the guys are working on list now to do some crack sealing. We will put that together and come back to council to bid that out. Another item is the Locust Street railroad crossing and the Main Street crossing. We filed a complaint with the PUCO and they came down and inspected it. They said, we appreciate your concern, but we don't think Main Street is that bad. They did say that Locust Street was in need of repair and informed the railroad. They have 30 days to repair it and the inspector will do a re-inspect. As you know, this sometimes take about 6 months.

Mayor Riley – I sent them a letter saying that the Main Street side, while not as bad as the Locust Street side, is not in good or sufficient condition. We are kind of running that

up the flag. I also expressed some real concerns about Hawley Street. If you've driven down Hawley Street, it is a horrible crossing. They said they would be back in a couple of weeks as well to look at that.

[Discussion of railroad crossings]

Paul Hunter asked how long the warranties were in the street paving bids. Service Director Reinsmith answered that it was five years.

Safety Director – In the absence of Safety Director Russ Burton, Mayor Riley had no report.

Reports

A motion was made by Jaehnig and seconded by Milburn that the Auditor-Treasurer Report – April 2015, be accepted as presented.

Motion passed.

Reports accepted as presented.

President Pro Tem McKay opened the meeting up to the general public and/or members of council to address council while in session.

Paul Hunter asked for a report regarding Alkermes.

Councilman Jaehnig – Alkermes received approval from Regional Planning this week on their site plan. They are going forward with an \$18 million expansion. Ten million will be in capital property improvement and \$8 million will be in machinery and processing. It will add 27,000 square feet to the facility. In the JobsOhio grant that they filed, they originally anticipated an additional 51 jobs, but they expect to supersede that. They are asking for approval from corporate for additional jobs. They are going to be making pills at Alkermes. It is an excellent expansion for the community. They are well-paying jobs. It does sit outside of the city. We need to aggressively pursue getting their employees to relocate into the city. They have shared with us that there are plans for a second pill facility coming right behind it.

Stephen Sawzin – 43 Fulton Street. I have a question for the Auditor. The upcoming sale of notes or bonds, can anyone buy those notes or bonds? Is it a public sale? Are they going to be sold through a city office?

Auditor David Hollingsworth – No. Our underwriter will sell them for us, but they will be available on the open market. Anyone can buy them. They are sold in \$100,000 increments. I can get information for you.

President Pro Tem McKay asked the Law Director to introduce the executive session.

Law Director Shidaker – I would like to go into executive session pursuant to Ohio Revised Code 121.22 (G)(4) to discuss union contract negotiations please.

A motion was made by Miller and seconded by Miller to enter executive session pursuant to O.R.C. 121.11 (G)(4).

Motion passed. All yeas.

Paul Hunter asked if there would be action after the executive session. Law Director Shidaker replied that no legislation had been prepared, but there was a possibility that action could be taken by council after the executive session.

Mayor Riley requested that John Stanforth, because of his upcoming position of mayor in the following year, be permitted to remain at the meeting. Councilwoman Miller also suggested Jonathan McKay and Lonnie Stuckert stay for the meeting.

Council went into executive session at 8:56 p.m.

A motion was made by Jaehnig and seconded by Miller to return to regular session.

Motion passed. All yeas.
Council returned to regular session at 10:00 p.m.

Seeing no one else who wished to speak, President Pro Tem McKay asked for a motion to adjourn.

A motion was made by Jaehnig to adjourn.
President Pro Tem of Council declared the meeting adjourned.
Council adjourned.

ATTEST:

President of Council

Clerk of Council