

## **COUNCIL**

**February 4, 2016**

Wilmington City Council met in regular session on Thursday, February 4, 2016, at 7:30 p.m. with President Randy Riley presiding.

### **CALL TO ORDER**

President of Council called the meeting to order at 7:30 p.m.

### **ROLL CALL**

Roll Call: Purkey, present; Spicer, present; Stuckert, present; J. McKay, present; Swindler, present; Milburn, present; M. McKay, present.

Chief Detective Josh Riley was also present.

### **PLEDGE OF ALLEGIANCE**

Council gave the Pledge of Allegiance to the flag.

### **MOMENT OF SILENCE OBSERVED**

### **PRESIDENT OF COUNCIL**

President of Council - President Riley presented the agenda for approval.

A motion was made by Spicer and seconded by J. McKay to approve the agenda as received.

Motion passed. All yeas.

Agenda approved as received.

A motion was made by M. McKay and seconded by Purkey to approve the minutes of the last regular meeting, January 21, as presented.

Motion passed. All yeas.

Minutes approved as presented.

President Riley announced the Lenten Lunch program at the United Methodist Church.

President Riley welcomed Pat Haley, Terry Habermehl, and boy scouts to the meeting.

### **MAYOR**

Mayor - Mayor Stanforth introduced Ray Souder, Director of Clinton County Veterans Services Office.

Ray Souders presented information on a volksmarch event to be held on Saturday, March 28. He explained the volksmarch concept. It is usually a 5K walk, noncompetitive and not timed. Participants pay a small amount to join the walk. There are stations throughout the walk where participants can have their ticket stamped. Stations can be as simple as an individual stamping your ticket or as elaborate as a food tent with beverages and snacks. He explained that the check-in stations are social gatherings and people often stay for up to half an hour. The registration for the event will be from 8 am to noon at the Park. After participants register, they will be shuttled to the starting point of the walk at the trailhead for the Luther Warren Peace Path on Nelson Avenue. The Veterans Services program will be responsible for shuttling people. Participants will walk on the Luther Warren Peace Path, through the urban trail, and across the 4-C Bicentennial Trail to end up at the parks where their cars are located. Because it is noncompetitive, many people go as groups, bring their pets, and it is a very social event. If they have their ticket stamped by all check-in stations, they receive an incentive gift of a mug. All proceeds of the volksmarch will go to a veterans' support group called All Day Every Day whose main focus is veterans with posttraumatic stress disorder. He asked for Council support for the event and introduced Joseph Watson, founder of All Day, Every Day. Ray Souders asked council for their support of the project and emphasized that it would not cost the city any money.

Joseph Watson - Founder of Veteran's Support All Day, Every Day gave an overview of the types of programs he would like to start for veterans with posttraumatic stress disorder.

Councilwoman Milburn expressed her support for the attention to the issue and for the fundraiser.

Ray Souder pointed out that they are not only helping veterans, they would be exposing more people to the trails systems in Wilmington.

A motion was made by Milburn and seconded by M. McKay to support the Veterans Services Volksmarch Event on March 28.

Motion passed. All yeas.

Mayor Stanforth introduced boy scouts DJ Young and Lucas Burrows and had a picture taken with them.

Mayor Stanforth presented his State of the City address.

*December 15, 2015, then-Mayor Randy Riley wrote an editorial in the Wilmington News Journal, as he often did. It was quite telling and presented a familiar metaphor for that moment and for the job ahead. At that time, he spoke of a water stain in his kitchen. He quoted the words I spoke to him years ago in that kitchen. I had just smashed a hole in that ceiling with my hammer to reveal the source of the problem. It was shocking and unpleasant at first, but the result, a few months down the road, provided him and his wife a great deal of satisfaction—and solved the leaking-pipe problem. "You can't fix a problem if you don't know where it is," I said to him at that time. Armed with a hammer, a flashlight, and a tape measure I have approached problems of all kinds this way in the past 4 or more decades. I must say, that the method produces very good results. I am not, I assure you, going to take a hammer to the city. But I will be carrying my flashlight with me, just in case we need to take a look.*

*My passion runs deep for this community. My 5<sup>th</sup> great-grandfather, Tom Gaddis, was a colonel in the Revolutionary War and is buried on the land on Prairie Road he once owned. My daughter and her husband are the 6<sup>th</sup> generation to live on the family farm. Wilmington is the place I want my children, grandchildren, and great grandchildren call their home. It is important that they are able to stay here and have good jobs. I want them to be able to raise their children in the same prosperous community where I grew up, married, and raised children, and had a successful business.*

*I have traveled all over the United States and Canada on my motorcycle and in my automobile. The towns that get my attention are the ones that put forth a "pretty" face. These are towns that have an abundance of trees. They are towns that have flowers. Their gateways are welcoming and landscaped. The streets are clean. The storefronts are well maintained. I always compare where I am traveling to what is at home. Wilmington does a very good job of all of this. We need to continue and add a little "polish" where necessary. I want Wilmington to be as pretty a town as anyone will ever see as they travel through or live here.*

*I want to give back by serving the community I so dearly love. My goals as mayor are very simple.*

- *I want our spending to match our revenue.*
- *I want to maintain our services in the most efficient manner possible.*
- *I want to repair our streets.*

*To accomplish these goals, I need your support.*

## **AUDITOR**

Auditor - Auditor David Hollingsworth had no report.

## **COMMITTEE REPORTS AND ACTION**

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

Cemetery Committee – Chairperson J. McKay said they had a good meeting recently, with the main topics of discussion including the bridge situation and the columbarium. The bridges are a top priority for the cemetery.

Downtown Revitalization Committee – Convener M. McKay encouraged people to check out Main Street Wilmington on Facebook. He read the promotional literature put out by Main Street encouraging residents to stay in Wilmington to celebrate Valentine’s Day at local establishments.

Finance Committee - Chairperson M. McKay presented legislation making miscellaneous transfers: From Miscellaneous Services to Salaries - \$19,500.00.

Councilwoman Swindler asked if this was different than the one that was passed at the last meeting. Clerk Miller explained that the previous one was for community corrections funded by the grant and this one is not.

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

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Motion passed.

President of Council declared Ord. No. O-16-07 passed as read.

Judiciary Committee - Chairperson Milburn presented legislation modifying Chapter 119 of the Codified Ordinances to include the provision that the appointment of the Assistant Director of Law/Municipal Prosecutor shall be subject to council approval.

A motion was made by Milburn and seconded by Purkey to give the first reading only on the ordinance Amending Section 119.02(a) of the Codified Ordinances of the City of Wilmington Related to the Assistant Director of Law/Municipal Prosecutor.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Motion passed.

President of Council declared Ord. No. O-16-08 passed as read.

Parks and Recreation Committee – Chairperson Milburn presented legislation regarding surplus vehicles for the Parks.

A motion was made by Milburn and seconded by Swindler to give the first reading only on a resolution Declaring Surplus Property, To Wit: Vehicles Valued at More Than \$1000, and Authorizing the Sale of Said Vehicles, and Declaring an Emergency.

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Director of Law read the resolution by title only.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Motion passed.

President of Council declared Res. No. R-16-11 passed as read.

Safety Committee - Chairperson Spicer had no report but asked for a meeting to be scheduled.

Solid Waste/Recycling - Chairperson Spicer gave a report of the last committee meeting. The committee discussed options for the future of the landfill. Closing the landfill is a 30-year process and bears an expense. Expanding the landfill will also be expensive. Braden Dunham is still collecting data. It is unlikely that the city will sell the landfill. It seems like it may be possible to continue to keep the landfill as a small operation. The City currently has a great relationship with the EPA. Regular committee meetings of the Solid Waste/Recycling Committee will be held on the 3<sup>rd</sup> Thursday of each month at 6:00 p.m., and citizen input is welcome.

Paul Hunter pointed out that the City of Wilmington may have the only municipally owned landfill in Ohio.

Councilman Spicer pointed out that it was an issue that he wished to address immediately and that it also was a priority for Service Director Shidaker and Landfill Superintendent Braden Dunham.

Streets Committee - Chairperson Spicer presented final legislation for the ODOT Urban Paving project on SR 730. This has a deadline of March 9 to return the legislation to ODOT.

A motion was made by Spicer and seconded by M. McKay to give the first reading only on A Final Resolution Authorizing an Urban Paving Project (CLI SR730 – 10.08 PID 94260) to Plane and Resurface a Portion of SR 730 in the City of Wilmington; and Declaring an Emergency

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

Spicer requested that the second and third reading be on the Agenda for the next meeting.

Councilman McKay asked if the paving was planned to reach the corporation limit. Service Director Shidaker verified that it goes to the flashing light at Holmes Elementary.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Water Committee - Chairperson Swindler had no report.

Safety/Service Director – Safety/Service Director Brian Shidaker reported that after State inspection, two bridges in the cemetery have been closed for safety reasons. We have received several reports of people moving the barricades and driving over them. He asked that people do not remove the signs and barricades blocking off the bridges. When the weather breaks, we will do repairs, but they are closed for a reason. Because of the warmer weather, the streets crew has been able to repair many potholes. We have repaired Truesdell, Rombach, Cuba Road, Lincoln Street, Davids Drive, Fife Avenue, Quaker Way, and Birdsall. The goal by the end of the week is to get all of the potholes in the main streets. Afterwards, the city will be divided into quadrants to work on smaller roads. The Service Department has submitted 13 streetlight outages to Miami Valley lighting this week. Citizens can report their streetlight outages either online or by calling the Service Director.

### **REPORTS TO COUNCIL**

A motion was made by M. McKay and seconded by Purkey that the Hotel Lodging Tax and Income Tax Summary Reports - be accepted as presented.

Motion passed.

Reports accepted as presented.

### **OPEN TO PUBLIC**

President Riley opened the meeting to the general public and/or members of council to address council while in session.

Terry Habermehl, 806 Crestview Avenue, County Auditor presented a check to the city in the amount of slightly over \$9,259.00. This is money not required to complete appraisal services, so he is able to refund it to the local political subdivisions.

Paul Hunter announced expressed concern about the streets item being brought before council without a meeting. Councilman Spicer explained that preliminary legislation had already been passed by council for the 730 project and this was final legislation. He also noted that he put the item on for only one reading in order to provide his committee the opportunity to meet and discuss further if there were questions.

Councilman McKay stated that he will not be at the next council meeting or the next Finance meeting. Councilwoman Swindler stated that she will also be absent. Councilman McKay pointed out that a special council may need to be scheduled in order to get legislation passed if necessary.

President Riley asked if anyone else wished to address council while in session.

President Riley asked for a motion to go into executive session.

A motion was made by M. McKay and seconded by Stuckert to council to enter Executive Session per ORC 121.22(G)(1) – To consider compensation of a public employee or official.

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Motion passed.

The Law Director and legal counsel were invited by President Riley to attend the executive session.

Council entered executive session at 8:14 p.m.

A motion was made by M. McKay and seconded by J. McKay to return to regular session.

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Motion passed.

Council returned to regular session at 9:02 p.m.

President Riley announced that there was no action to be taken as a result of the executive session.

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

**ADJOURNMENT**

A motion was made by J. McKay to adjourn.

President Riley declared meeting adjourned.

Council adjourned at 9:03 p.m.

ATTEST:

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President of Council

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Clerk