

Wilmington City Council met in regular session on Thursday, May 19<sup>th</sup>, 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: Spicer, present; Stuckert, present; J. McKay, present; Swindler, present; Milburn, present; M. McKay, present; Purkey, present.

Chief Weyand was also present.

**PLEDGE OF ALLEGIANCE**

Council gave the Pledge of Allegiance to the flag.

**MOMENT OF SILENCE**

**PRESIDENT OF COUNCIL**

President of Council-

Due to the addition of item 11d., under the Finance Committee, council was presented with an amended agenda.

A motion was made by M. McKay and seconded by Stuckert to approve the amended agenda as presented.

Motion passed. All yeas.

Amended agenda approved as presented.

Swindler had a correction on the minutes in the fourth paragraph after “President of Council” the last word in the paragraph should read “committee” not “community”.

A motion was made by Purkey and seconded by J. McKay to approve the May 5th amended minutes as presented.

President Riley read the Letter of Support for Heritage Ohio in support of Main Street Wilmington, and asked for unanimous support. M. McKay made a motion in support, seconded by J. McKay. President Riley called for a vote, all yeas.

President Riley read a Notice to Legislative Authority, transferring a liquor license. Riley stated the document will be on file in the Clerk’s office.

President Riley spoke briefly about Police Week the ceremony held in the Cemetery honoring fallen officers, and encouraged citizens to thank an officer.

**MAYOR**

Mayor – Introduced Bekah Muchmore, director of Main Street Wilmington who spoke about membership, ongoing projects, current board members, and downtown beautification and improvement through grants. Muchmore stated that she had applied for a Cornerstone Foundation grant that would help with benches, recycling cans, and trashcans for the downtown area. Main Street Wilmington has also been proactive in reaching out of the county, providing their press releases to magazines and online sources, as well as strengthening and continuing their relationship with Heritage Ohio. Main Street Wilmington is also improving their connection with Wilmington College by using an app to encourage students to interact more with the downtown area. Muchmore also spoke about survey feedback, and how going forward, she will be using that information to make improvements. Ongoing goals for the downtown area from survey include pedestrian safety, benches, and trashcans. The upcoming 3<sup>rd</sup> Friday parties this summer will include Main Street members who will be able to set up tables and advertise during the event. Muchmore also spoke briefly about the 325 attendees of the Wine Walk scheduled on Friday; she also stated that the tickets sold out in 15 minutes. Other topics touched upon were the addition of family activities and better overall communication from Main Street to the public.

Mayor Stanforth introduced Tracy Hopkins, counselor and co-owner at Transformative Wellness, LLC. The team is made up of Sharon Yockey, Monica Hill, and Tracy Hopkins who have a combined 26 years of experience in the mental health field. Transformative Wellness is located at 815 S. South Street, and as a team are experienced in treating addiction, mental health, trauma, and also specialize in individual, family, and veterans counseling.

Mayor Stanforth honored the Wilmington High School Boys' Basketball team with a Proclamation, celebrating their achievement competing in the Final 4 D1 State Championship for the first time ever in school history. The Hurricanes completed the 2016 season as SCOL Champions, Sectional Champs, District Champs, History Champs, Regional Champs, and the City of Wilmington Champs. Mayor Stanforth declared May 19, 2016 Wilmington High School Boys' Basketball Day.

Mayor Stanforth also had complimented Jerry Runk and Marian Miller on their efforts to coordinate the cleanup of Sugar Grove Cemetery before Memorial Day. 70 Volunteers will also be on hand between 8:30am-3pm on Monday to finish the work.

## **AUDITOR**

Auditor – Auditor Hollingsworth had no report.

## **COMMITTEE REPORTS AND ACTION**

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

Cemetery Committee – Chairperson J. McKay had no official report but also complimented Jerry Runk and his crew on their hard work. The bridge effort is currently on hold due to the weather hindering the repair. J. McKay apologized that the bridges would not be open for Memorial Day.

Downtown Revitalization Committee – Convener M. McKay had a reminder about the upcoming wine walk, stating that Bekah Muchmore had already spoken earlier about the details.

Finance Committee - Chairperson M. McKay had four items to introduce.

The first is O-16-37 Making supplemental appropriations; for Programs Expenses- \$2,788.00, Cruiser Cam Project- \$17,287.00, Police Equipment Parts and Supplies- \$2,400.00, and Police Skate Night Expenses- \$500.00.

A motion was made by Chairperson M. McKay and seconded by Milburn to give the first reading only on Ordinance O-16-37- Making supplemental appropriations.

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

Motion passed.

President of Council declared Ord. No. O-16-37 passed as read.

A motion was made by Chairperson M. McKay and seconded by Milburn to give the first reading only on Ordinance O-16-38- 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: Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn yes; M. McKay, yes; Purkey, yes; Spicer, 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: J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes.

Motion passed.

President of Council declared Ord. No. O-16-38 passed as read.

M. McKay introduced O-16-39 Establishing a new fund, “Williams Park State Capital Improvement Fund”, in order to receive capital improvement money from the state.

A motion was made by Chairperson M. McKay and seconded by Milburn to give the first reading only on Ordinance O-16-39- Establishing a new fund.

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

Motion passed.

President of Council declared Ord. No. O-16-39 passed as read.

Chairperson M. McKay stated that he would like to have more discussion on R-16-27 Determining to Proceed with Earnings Tax and certifying same to the Board of Elections, but preferred to begin that after motion was made.

A motion was made by Chairperson M. McKay and seconded by Purkey to give the first reading only on R-16-27- Determining to Proceed with Earnings Tax and certifying same to the Board of Elections.

President called for a discussion.

*Discussion:*

*Begin Transcription*

M. McKay- I have a few remarks. I just think that we need to set the stage for this even though we have been talking about it for a long time. I think it's necessary to pull everything together for us tonight before we move forward on this. It was approved at our Finance Committee Meeting by a 3-0 vote last night to move forward to council the resolution to place on the fall ballot at .05% increase in the city earnings tax. The tax would be effective January 1, 2017 and continue for a period of 5 years, to expire December 31, 2021. As you all know, we've been very fortunate to have the carry over that we've had from the days that DHL employees were contributing to our revenue. Unfortunately, Council tried to treat these funds as excess, and not operating funds. To compound the problem, the State, to balance its budget, has made some pretty drastic cuts to our local government fund. The inheritance tax was repealed. License taxes were reduced by a large amount. We've now reached a juncture that in 2017 our normal needed expenses in our general fund would exceed our carryover. Council really has been wrestling with this problem for several years but no one, including me, wants a tax increase so the problem was left unresolved. After much discussion in council with the auditor, administration, citizen groups, we have arrived at the above decision, which I outlined. We need to be clear that this Resolution would place the measure on the fall ballot for the citizens of Wilmington to vote on. This is their decision, not City Council's not the Mayor's, but for all of us, for the good of the community, to decide. I will say that I'm pretty biased and certainly hope that we move unanimously forward to present our citizen with an effective, reasonable, affordable way to keep our city moving in the direction we have become accustomed to. A city which we are all proud of, a city which

we feel safe, a city which we not only have vital services, but one in which we are able to exceed expectations. One which will keep our young people here and continue to attract new employment. Chief Weyand spoke at our work session about the current needs of the city to have the deferred things like parks, trails, trees, and certainly streets. He spoke of our city as being like a business, where we deal in customer service. If we don't provide good customer service people will shop elsewhere. In closing, I believe we should all move forward on this resolution with knowledge that the citizens of Wilmington have always supported which they understood the need for. I see no reason why they should not support us now. So, those are my comments, and I certainly would welcome comments from other council members before we vote.

Purkey- I want to echo what Mark was saying a little bit. I know that I'm new to this role as well and some of us that are up here have been put between a rock and a hard place because the city is at a point where we need taxes. We have to have this revenue measure in order to continue to operate the services in the things at the level we have now. I know there are some people who don't want those taxes. I know it's a tough decision, but I hope that everyone moves forward unanimously and comes to the same agreement and does what's best for the city overall.

M. McKay- Anyone else?

Spicer- As everyone knows I've been pretty much anti-tax. After struggling with this the last few months, seeing what's going to happen if we don't get some additional revenue, I think it's pretty obvious that we're going to lose vital services, plus not getting the streets repaved, which are in terrible, terrible shape. With that said, reluctantly, I'm going to support that we take this to the voters. On the other hand, I still feel strongly that we're still spending a million and a half dollars more than we're bringing in. I think that we've got to right size our city so that we can live within our income. Along with this I would hope that citizens can trust us that not only are we asking for their help, to do this, we're also going to see where we're going to streamline our processes and cut more where we can cut and get our city back so that we can live within our income.

Stuckert- I want to say that I agree with Joe on right sizing the community operations to the size of the revenue we bring in- and I do not feel like this is a good decision because we discussed one option and that is raising taxes, a tax increase. I don't feel like there were enough options presented for the people to choose from, and I don't think this is the best idea moving forward.

M. McKay- Would you tell us what your options would be?

Swindler- What other options would you suggest?

Stuckert- See, I'm new on council, so I haven't had a chance to look at the finances the way that other people on council have been looking at finances have. I think that if you want to look at the best reflection of income and revenue you look at the 2015 budget and you can do that. I know that's uncomfortable, I know that would require us cutting a lot. It the most direct reflection of the revenue that we're receiving right now.

Swindler- I would have to argue against that only because we had a very thorough presentation of this at our workshop and when you look at the way city finances are spent right now, I don't see where the cuts can be made without drastically reducing city services. We're one person above minimum staffing on the Police and it's our chief. I don't feel comfortable, when we look at the entire city administration, \$600,000 for personally for the entire city, even if we cut every single person, we would only be halfway there. I mean, that's astounding. That's the size of 1.3 million. This is essential. I don't see other options, there is no paper cutting the budget to get to 1.3 million.

Stuckert- There are other options. The options are uncomfortable. There are options to contract work out. There are options to, there are plenty of options. They haven't been discussed yet. We've discussed one option. Raising taxes. There's nothing else that's been discussed. Everything that you've mentioned has been very vague.

Swindler- It's not uncomfortable. It's wrong. I mean, those are things I just don't feel is right. It's not protecting the city of Wilmington to cut into vital city services. I feel strongly that it's our duty and our responsibility as a council to look out for the kinds of

services that we are responsible for providing to the city of Wilmington. I don't think we can do that without additional revenue.

Stuckert- I think that we need to consider the people who have lost purchasing power and consider the fact that the people employed by the city haven't lost any purchasing power at all. They've gained purchasing power while the citizens have lost it.

Swindler- And those without purchasing power would be most impacted by loss of city services, as we heard at the Budget Workshop when {cut off mid-sentence}...

Stuckert- Well they would certainly be impacted by increased taxes.

Purkey- I tend to echo a little bit of what Kelsey said. I don't believe that we can operate with outsourcing departments or operating with less police force but I believe that Joe hit it right on the head when he said, let's trim everything that can be trimmed. b)But we trimmed most of it out. We really have. I mean, there are still places where we can still trim something, yes. Let's turn over every stone to make sure we got through the budget, cut as much as we can, but we have to have a revenue measure. We can't get it done any other way.

J. McKay- I've been coming to council a long time. I graduated college in 2009 and rarely have missed a meeting. I've seen department heads through budget after budget, trim and cut and do everything they can do to get everything right sized, and they can't do it any longer. Like Kelsey just said, our police force, they are one up from what their contract calls for. That shows you where we are at and this is a historical moment, I think for the city. I think that we are in a moment of time where this measure is going to be looked at for a long time to come, just as it was in the '90's when this was last done. We've gone a long time without tax increases, a long time without hindering the citizens with any burden. We've given them more services than most communities our size because we could. We need to continue to do that because it is the right thing to do. We are in the middle of a heroin epidemic. We don't need to be cutting police force or fire or anything of that nature. We need to give the citizens good streets. We need to give them every service that they have come to expect from us, I feel. That's why we have arrived at this moment and we're doing the right thing here I think, by going to the citizens and that's why I'm supporting this.

M. McKay- Kelsey, did you have anything else to say?

Swindler- I strongly support this measure and I commend it. I know there was a lot of discussion and a lot of moving forward to a compromise, and a measure that I think the majority of us can support. That's my feeling from the budget workshop and I commend everyone for coming into the middle on this.

Purkey- I think that no one begrudges us collecting tax. It is that we spend it judiciously and that we're accountable for what it is that we're spending the money on. I think that's what we need to relay to the taxpayers, that we want to continue to operate the level that we have, just currently we have to have this increase just do that. As we start trying to take on new projects and budget for streets and all of the other things that we want to continue to do for the town, we have to generate revenue to do that. In short of thousands and thousands of jobs showing up next year, which hopefully there is some development in that front too, but short of that happening, we have to do a tax now.

Milburn- The first thing I want to mention is everybody knew we were talking about taxes today. I am so deeply disappointed that every one of these chairs aren't filled, because we're talking about your taxes. This is it. I'm hoping that maybe some coverage in the newspaper will spark some more interest and that more people will show up. But that kind of disappoints me that interaction isn't happening a bit more. I just want to say that first of all. Second of all the one thing I want to caution going forward, I do not respond to bully campaigning First and foremost nobody is going to tell me what I have to do what I promised to do, anything like that. That stuff needs to stop. Just kind of putting that out there right now. I think that Joe said it best last night when we were talking about this during our workshop. Come at the voters with a common sense approach, not a bully campaign. That stuff's go to stop. That's why we're losing trust with voters. That's why politician in general are losing trust with voters. With that being said, I continually am reminded of my no tax promise that I said during campaign, and I

do not want taxes. But what I did say was that I feel like we need to budget and plan responsibly and that is what I'm still sticking to. Do I want a tax? Nope. Not at all, I don't how I'm even going to vote for it in the polls, but I'm going to hand it over to you guys. Tell me what you want and I'll be fine with it.

Spicer- One final thing for me too Randy. The thing that did it for me, I've been staunch. Paul and I bantered back and forth a little bit about it, that I have been staunch, "no taxes". I really get tired of politicians. I wasn't in office 30 days and the first thing that pops up is "lets raise taxes". So it leaves a bad taste in my mouth. But what really done it is, this could happen now. If this tax doesn't pass, then we've got to cut a million and a half dollars, so we're going to be down. We're going to lose half our people. If we lose fire department people they may as well close down, because we don't have adequate staffing down there now. We're going to lose other vital services. The bottom line is, if we cut that million and a half dollars we still can't fix our streets. We still can't do any improvements anywhere. We still can't do anything, and as bad of a taste as it leaves in my mouth to have to go along with this, I think, as I said last week I'm a realist. I think we have to do something or at least go to the public. If they vote it down, at least they know what was coming, as long as we don't give it to them in a threatening manner.

Milburn- To just kind of piggy back off that and to kind of what Lonnie was saying as well, I've been in business. I've been in HR for 12 years now. Crazy that it's been that long, and I've been a part of a business not doing well and having to make cuts, and to be honest you, we keep talking we have to cut police. We're talking people. I feel like that's one of the bully techniques that we're using. "We're going to cut people if we don't do that". No. We're going to cut services too. That's going to be streets, taxi. those are services. You actually start with those before you get to people. The people does go into it but it's not just "We're going to lose people." We're going to lose stuff.

Purkey- The problem is people are the biggest part of the General fund. That's the reality.

Milburn- It is, but you cut more than just people.

J.McKay- I might add this as well. I was going to mention the Taxi service, but also, this deals with our bond rating. And that's extremely important to the citizens and to the city. We need to maintain a decent bond rating so we can get good interest rates, because if we can't have that then we'll be in a world of hurt. So I think that's important to keep in mind. It's not just personnel. It's just not services. It's a bond rating, and to maintain services, we need to have a good bond rating in case we need to levy something.

M. McKay- Lonnie, I guess the only thing I can say, and I certainly respect your opinion, and we're going to be friends when we leave council, but I guess I wonder why you didn't bring that up Thursday.

Stuckert- I did. I did in a way. It was shot down immediately.

M. McKay- I didn't hear the same thing.

Stuckert- What I was saying is I wanted more discussion. I mentioned a contingency plan. The only response that I got to a contingency plan was the pie chart that shows how the general fund is divided. We can be more creative about it. There are more ideas out there than simply increasing taxes.

M. McKay- Well we're certainly willing to listen to anybody's idea and sorry if we cut you off, because that was not my intent. We wanted to hear everybody's opinion and some of your ideas, I'm certain, are good.

Stuckert- I didn't feel like it was cut off. I am certainly the minority in this whole topic, but I just kind of shocked that there wasn't more creativity. It was just raising taxes and that's all we're going to discuss.

Milburn- Well you're not completely the minority. I'm on the same page as you. I don't want it, but I'm leaving it in their very capable hands at this point. I don't know what else to do.

Stuckert- Going to the people would be a nice thing to have. More decisions to make than a simple “yes” or “no” on tax increase.

Purkey- Lonnie, do you think there could be something put together? This is a first reading. So in two weeks we’re going to get together to have further reading, so if you have something put together then, imbibe a possible plan?

Stuckert- I think so. I would have to talk to the right people because I have limited knowledge in finances.

Purkey- If there is something else out there, I don’t have to speak for everyone else, but would love to.

Stuckert- I’ve heard side talk here and there about ideas that at least could be presented. There’s a lot of different things that you can do to trim money other than making these horrifying cuts.

Purkey- True.

Stuckert- If I talk to the right people, I can.

Purkey- I don’t mean to put you on the spot, but I would love to at least have a picture if it’s possible. You know what I mean. My feeling right now, from what I have seen, especially after last Thursday, was that it just, we’re going to have to start cutting essential services that I’m uncomfortable cutting. So, if there is something else, then I would really be interested. I don’t know if there’s accommodation of some type or what it will be but...

Stuckert- I don’t know either, but I’m open to other ideas too.

Milburn- Like I said, this is a first reading, I’ve tried and tried and I’ve got nothing. If you can find something then I would gladly change my vote, happily. I don’t know if it’s possible.

M. McKay- I know and thank you all. I know your thoughts are heartfelt and I appreciate everyone’s responses. I know Paul had his hand up.

*End transcription*

Paul Hunter of 200 Randolph Street stated that he thought the levy would be “too big of a bite” and suggested instead raising property taxes to increase revenue, reiterating that his worry was that it wouldn’t pass, and then there would be big trouble. Paul Hunter also stated that the college would have been happy to do a survey to see which one the people would prefer, how much, but that option has been ignored.

President Riley stated that four years ago Angela Mitchell and Steve Stovall from Wilmington College had gotten together and made some recommendation to get the city back on its feet. It was called “The Blue Ribbon Panel”, and their recommendation at that time was 1.5% earnings tax. Riley stated that legislation is following that recommendation.

M. McKay also addressed Paul Hunter in response to his concerns about the levy, and he stated that what he would be hearing from the public with a property tax would be from the portion of the population on a fixed income.

Sam Stratman, a Wilmington resident, stated that he strongly supports council’s decision to give the voters the opportunity to decide the issue. Mr. Stratman further stated that there are a lot of people who work in the city but live in other counties, who enjoy the services that the city provides. Since the city is a public corporation, under state law, an earnings tax would best capture the benefits that are given to those who live outside the city but benefit from the creation of this economic structure. The only issue for Mr. Stratman was that it would not be permanent, but he stated the five year proposal is a strong one. He stated that Lonnie Stuckert and Loren Stuckert have been discussing the issue of outsourcing services for years. Addressing Lonnie, Mr. Stratman said that it is the responsibility also to be creative and tell us what your proposal is in terms of

alternatives, and if Lonnie Stuckerts' plan is to outsource the entire Streets Department, then he needs to show that. Mr. Stratman said that it feels like a dodge, and that is Lonnie Stuckert's right, but the entities that will be hurt by this increase are places like Hillsboro. He stated that Hillsboro's earnings tax is currently 1.5% and has been for almost 20 years, and the citizen of Hillsboro that work here are now going to be paying those taxes into Wilmington where they work. Stratman said it is our responsibility to take care of Wilmington, and he strongly urged a "yes" vote to bring this to the people. He also challenged Spicer and Milburn to present some proposals on how to streamline the budgets so that more funds can be invested in street, sewer, and infrastructure repair to make Wilmington a thriving public corporation.

Loren Stuckert of 187 S. Walnut Street spoke of previous salary increases to contracted city employees and non-contracted employees the previous year. Loren Stuckert stated at this less than a year ago, previous Council had asked if they had the money, and they were told "yes". Mr. Stuckert asked if a year ago there was money for those increases, an excess of ½ a million dollars, but now, without new taxes, the city will go "belly up". Mr. Stuckert said that even next year the budget will increase over what is being spent now, because of contracts that have already been signed. Mr. Stuckert also stated that it will come down to what to do with the employees and how they are going to be compensated. He stated people in other professions go several years without an increase and are just glad to have a job. He encouraged council to do the numbers.

President Riley replied to Loren Stuckert stating that all of these things have been discussed in council meetings and committee meetings, to great length, including the raises that have been given and those that will need to be given in the future. President Riley stated that the city has to honor union contracts. They do not have a choice. He further stated that city employees went 6 years without a pay increase and they did catch them up. President Riley stated that he does not apologize for that and he appreciates the comments.

President Riley then commended Council and the citizens that were present, due to this not being an easy decision, and this vote is giving citizens the choice. President Riley reiterated that this is a first reading only, and also stated that at a previous meeting that he and Mayor Stanforth had attended, Mark Rembert had given an informative presentation about the economics of the city and he would be presenting that again at the June 2<sup>nd</sup> Council meeting.

President Riley also noted that there was a possible typo that needed to be corrected and Law Director Rudduck confirmed that it was in fact supposed to read "December 31, 2021, not December 21, 2021."

Mayor Stanforth stated that he has seen the pie chart and he stated that if council wants him to cut a million and a half he can do it. However, that would mean, going forward, contracts get violated, interest rates go up, and the city will lose its bond rating. Mayor Stanforth stated that he doesn't want a tax increase but he is unable to undo what was done in the past. He can only pay the bills today. Mayor Stanforth stated that this pie chart is where the money goes. If you cut the police department and dispatch, the budget is balanced, but then you have to answer to your citizens when the police officer doesn't show up timely. Mayor Stanforth further stated that he can outsource workers to plow the roads and fix potholes but that still requires money. He said that if the council is not united, the citizens will think that we are hiding something, and encouraged them to think about that going forward, because when services disappear, you will be answering to the citizens on this issue.

Bill Leierman of 1069 Linhoff Road stated he remembered, in 1992, the last tax increase that the city passed. He also spoke about other communities whose tax rates that are between 2-2.5%, sometimes even 3%. Mr. Leierman also spoke about his experience on the board of education and cutting the budget and passing levies. He also suggested an Oversight Committee of citizens from the city. He commended Mayor Stanforth and the hiring freeze and not spending any more than what you have. Mr. Leierman also stated that the future looks bright down the road and he is willing to get behind the temporary increase, and he hoped others will as well.

Before the reading two corrections were addressed. First was changing the date in the second section from "December 21, 2017" to "December 31, 2017," a second correction

was clarified by Law Director Rudduck, in Section 1 the “individual residences in the city” should only say “individuals in the city”, having the residence portion removed.

A motion was made by Chairperson M. McKay and seconded by J. McKay to amend R-16-27 Determining to Proceed with Earnings Tax and certifying same to the Board of Elections.

President called for vote.

Motion passed. 6 yeas. 1 nay, Stuckert.

A motion was made by Chairperson M. McKay and seconded by Purkey to give the first reading only on Ordinance R-16-27 Determining to Proceed with Earnings Tax and certifying same to the Board of Elections.

Director of Law read ordinance by title only.

President called for roll call: M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, no; J. McKay, yes; Swindler, yes; Milburn yes.

M. McKay requested that the second reading be on the agenda for the June 2<sup>nd</sup> council meeting.

Judiciary Committee – Chairperson Milburn had no report.

Parks and Recreation Committee – Chairperson Milburn had no report.

Safety Committee – Chairperson Spicer had no report.

Solid Waste/Recycling – Chairperson Spicer introduced O-16-30 a change in rates, deferring to Director Shidaker for an explanation.

Safety and Service Director Shidaker explained that Superintendent Dunham had researched commercial trash trucks and compactors, concluding that they should be charging \$36/ton and not charging per cubic yard. This change is what is reflected on the amended ordinance.

Chairperson Spicer stated that there was an additional change to the yard waste. Residents who are dropping off yard waste will now be charged for that. Director Shidaker confirmed that change and clarified that this was also a change for commercial and non-commercial haulers. Previously they were charged separate rates. They now plan on charging a flat rate of \$5/cubic yard, regardless if you are a business or a resident. Other changes were made in Section 2, changing “All roofing and hard fill, and any other non compactable materials” was changed to “Construction and Demolition materials” and a clarification for “Commercial Compactors” and “Commercial trash trucks” because they are the same thing.

Swindler asked for a clarification in Section I, referring to the 20 refuse containers per dwelling unit per week, and a \$13.93 per dwelling unit charge, inquiring if the resident allowed up to 20 containers for that price. Director Shidaker stated that was something that they will need to look into. Spicer stated that it might be a carry over, and they are referring to 20 trash bags, not trash cans.

A motion was made by Chairperson Spicer and seconded by M. McKay to give the first reading only on Ordinance O-16-30 Amending Chapter 925, Refuse Collection, of the Codified Ordinances.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

Chairperson Spicer requested that a second and third reading of O-16-30 be on the Agenda for June 2<sup>nd</sup>.

Streets Committee – Chairperson Spicer stated that there were three items to introduce. Spicer introduced R-16-25 Authorizing Participation in the ODOT Winter Contract (018-17) for road salt; and declaring an emergency.

A motion was made by Chairperson Spicer and seconded by Purkey to give the first reading only on Resolution R-16-25 Authorizing Participation in the ODOT Winter Contract (018-17) for road salt; and declaring an emergency.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

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

Motion passed.

President of Council declared Res. No. R-16-25 passed as read.

Chairperson Spicer asked Director Shidaker to clarify the parking Ordinances on the agenda. Director Shidaker spoke first about O-16-35, pertaining to Spring Street parking, and stated that the main problem occurs when cars are parked on both sides of the street, preventing the trash trucks from navigating. The proposal that can be seen on the map is that one side of the street will be a designated “No Parking” area to allow the trucks to get down the street. He added that if they move to the automated trash pick-up this will help prevent future problems. Shidaker added that there were some concerns in the committee meeting about the homeowners and people residing on that street, but he was able to meet face to face with both property owners. One stated that they were in favor of the measure and the other had no objection.

A motion was made by Chairperson Spicer and seconded by J. McKay to give the first reading only on Ordinance O-16-35 Amending the Traffic Control Map and the Traffic Control File to create a No Parking Zone on South Spring Street.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

Spicer requested that the second and third reading of R-16-35 be on the June 2<sup>nd</sup> agenda.

Director Shidaker clarified the reason for this change is due to the Semi trucks traveling both directions in and out of town on Xenia Avenue and North South Street are not able to safely navigate the turn because of vehicles parked on North South Street. Shidaker stated that there was only one residence that would be affected. He made several attempts to contact the homeowners but was unable speak with them but did leave a letter.

A motion was made by Chairperson Spicer and seconded by J. McKay to give the first reading only on Ordinance O-16-36 Amending the Traffic Control Map and the Traffic Control File to create a No Parking Zone on North South Street.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

Spicer requested that the second and third reading of R-16-36 be on the June 2<sup>nd</sup> agenda.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Water Committee - Chairperson Swindler announced a reminder for June, the committee meeting will be on June 2<sup>nd</sup> at 6:00pm and will concern how to move forward, or not, with fluoride.

Safety/Service Director – Safety/Service Director Brian Shidaker introduced R-16-26 and clarified that this resolution concerns street right of way permits. Vectren is in the

process of replacing all of the city gas lines. This will be an ongoing, five year project. Vectren will be starting the first phase in the next month but the permit fees the city currently charges are outdated. Director Shidaker stated he was able to negotiate a new agreement with Vectren. With Vectren agreeing to pay \$50/address and \$50/opening to do this project, instead of the \$2 per permit. Shidaker also clarified this would be easier than filling out a permit every time that Vectren need to make a hole and would instead cut down on the paperwork. The end cost to Vectren will be \$10,150 in permit fees, which would be \$9,744 more than with just permit fees under the current ordinance.

Shidaker also stated there would be more legislation looking at the current permit fees that he would discuss at a later date with Law Director Rudduck, but due to the time constraints, there wasn't time to amend before going forward with the Resolution.

Spicer inquired about where the cutting would take place, expressing concerns about Truesdell Street. Shidaker stated that they did not have plans to work on that street. Shidaker stated that in 2017 they will be getting into the downtown area, but that information will be presented closer to that time.

Paul Hunter inquired where the permit money will go once collected. Shidaker stated that it would go into the General Fund.

M. McKay inquired about plans to replace all the gas lines in the city. Shidaker stated that would take place over the next five years. In this phase, Vectren will be working on 181 residences for Phase I and they plan to do two phases per year. Shidaker stated that there will be a press release forthcoming. Ongoing, Vectren plans to put almost 9 million dollars into the infrastructure of Wilmington.

A motion was made by Spicer and seconded by Milburn to give the first reading only on Resolution R-16-26 Authorizing the Director of Public Service to enter into an agreement with Vectren Energy Delivery regarding street and right-of-way opening permits, and declaring an emergency.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Res. No. R-16-26 passed as read.

Director Shidaker also spoke to the council, stating that since he has been in the position he has asked his department heads and his superintendents to submit their bills to him. He would be happy to sit down with members of council and show them where the money is going. If they wanted to work on a plan to cut the money without cutting personnel, he would like to make himself an available resource for those wanting to look at his departments.

J. McKay inquired if the city would be entering into the Open Checkbook program. Marian stated that they still need a follow up with the Auditor's office. One meeting has taken place, but the auditor was absent and they need to still have them present for a meeting.

## **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by Purkey that the Auditor/Treasurer Report be accepted as presented.

Motion passed.

Reports accepted as presented.

**OPEN TO PUBLIC**

Paul Fear introduced the Honor Flight, sponsored by the American Legion, and informed the public about opportunities to donate.

**ADJOURNMENT**

A motion was made by M. McKay.

President Riley declared meeting adjourned.

Council adjourned at 9:12 p.m.

ATTEST:

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President of Council

\_\_\_\_\_  
Clerk