

Wilmington City Council met in regular session on Thursday, February 1<sup>st</sup>, 2018, at 7:30 p.m. with President Mark McKay presiding.

**CALL TO ORDER**

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

**ROLL CALL**

Roll Call: J. McKay, present; Allbright, present; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, present.

Chief Weyand was present.

*Council participated in the Pledge of Allegiance and Moment of Silence.*

**PRESIDENT OF COUNCIL**

President M. McKay asked if there were any changes or corrections to the agenda.

Motion by M. Purkey and seconded by B. Liermann to approve the agenda as presented.  
Motion passed.

Agenda approved as presented.

Motion by K. Swindler and seconded by M. Purkey to approve to approve the January 18<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

President McKay noted he will move the Service Director Report to right before the committee reports.

**MAYOR**

Mayor Stanforth noted the city has selected a new IT company and saving \$7,000. Police Department has also changed. He noted health insurance renewal was initially at a 14% increase for renewal but HR Director Pope and City Administrator Miller are working to get it to single digits. Mayor Stanforth congratulated T. Williams on the birth of his son, George. He also commented on an Economic Development meeting with Dayton Development Coalition. Mayor Stanforth intends to have the city have a more active role in economic development and will be coming to council for help. Stanforth introduced Beth Ellis, candidate for State Representative. She provided a short bio and introduced herself as a candidate for State Representative.

**AUDITOR**

Auditor – Auditor Hollingsworth was absent.

**COMMITTEE REPORTS AND ACTION**

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

Cemetery Committee – Chairperson J. McKay has no report but the cemetery is always looking for volunteers.

City Revitalization Committee – Convener J. McKay had no action items but updated council on local events.

Finance Committee – Chairperson Swindler had three pieces of legislation. The first item Ordinance O-18-12, establishing two new funds, one for the OPWC Nelson Ave Culvert Replacement Project and one for the Natureworks Grant Round #24.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-12, Establishing a new fund.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by T. Williams to suspend the rules and regulation and give a second and third reading on the Ordinance.

Roll call: J. McKay, yes; Albright, yes; Fickert, yes; Purkey, yes; Liermann, yes; Swindler, yes; Williams, yes.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by T. Williams to pass the Ordinance as read.

Roll call: Albright, yes; Fickert, yes; Purkey, yes; Liermann, yes; Swindler, abstain; Williams, yes; J. McKay, yes.

Motion passes.

President of Council declared Ordinance No. O-18-12 passed as read.

K. Swindler introduced Ordinance No. O-18-13, Renaming a fund from "OPWC- NRAC Grant Fund", to "OPWC- Lytle Creek Greenway Phase 1 Fund".

Motion by K. Swindler and seconded by M. Purkey to give the first reading only on Ordinance No. O-18-13, Renaming a fund.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by M. Purkey to suspend the rules and regulation and give a second and third reading on the Ordinance.

Roll call: Fickert, yes; Purkey, yes; Liermann, yes; Swindler, yes; Williams, yes; J. McKay, yes; Albright, yes.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by Swindler and seconded by M. Purkey to pass the Ordinance as read.

Roll call: Purkey, yes; Liermann, yes; Swindler, yes; Williams, yes; J. McKay, yes; Albright, yes; Fickert, yes.

Motion passes.

President of Council declared Ordinance No. O-18-13 passed as read.

K. Swindler introduced Ordinance No. O-18-14, Making supplemental appropriations. She reviewed each line item from the OPWC Nelson Ave Culvert Replacement Project Fund to "Project Expenses" the sum of \$147,723.00, from the Water Fund to "Taxes" the sum of \$229.38, from the Fire/EMS Fund to "Taxes" the sum of \$8.82, from the Waste Fund to 670.370.5265 "Taxes" the sum of \$348.40, from the General Fund to "M&R Fund Transfer" the sum of \$50,000.00, and from the M&R Fund Transfer to "Salt" the sum of \$50,000.00.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-14, Making supplemental appropriations.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by J. McKay to suspend the rules and regulation and give a second and third reading on the Ordinance.

Roll call: Liermann, yes; Swindler, yes; Williams, yes; J. McKay, yes; Albright, yes; Fickert, yes; Purkey, yes..

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by J. McKay to pass the Ordinance as read.

Roll call: Swindler, yes; Williams, yes; J. McKay, yes; Albright, yes; Fickert, yes; Purkey, yes; Liermann, yes.

Motion passes.

President of Council declared Ordinance No. O-18-14 passed as read.

Judiciary Committee – Chairperson Purkey had three agenda items.

M. Purkey introduced Ordinance No. O-18-03, which would improve and expand rules and regulations related to dangerous or vicious dogs kept within the city limits.

Motion by M. Purkey and seconded by K. Swindler to give the third reading only on Ordinance No. O-18-03, An Ordinance providing that both owners of dogs designated nuisance, dangerous or vicious and owners of property located within the City of Wilmington with dogs so designated being kept thereupon shall be required to comply with court orders and State Law and providing a penalty for violation of the same.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by K. Swindler to pass the Ordinance as read.

Roll call: Williams, yes; J. McKay, yes; Albright, yes; Fickert, yes; Purkey, yes;

Liermann, yes; Swindler, yes

Motion passes.

President of Council declared Ordinance No. O-18-03 passed as read.

M. Purkey introduced Ordinance No. O-18-08, legislation that would amend the requirement of “read receipts” on meeting notification emails.

Motion by M. Purkey and seconded by M. Albright to suspend the rules and regulation and give a second and third reading on Ordinance No. O-18-08, An Ordinance amending Section 111.04 of the City of Wilmington Codified Ordinances (Ord. 4834. Passed 3-19-09)

Roll call: J. McKay, yes; Albright, yes; Fickert, yes; Purkey, yes; Liermann, yes; Swindler, yes; Williams, yes.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by M. Albright to pass the Ordinance as read.

Roll call: Albright, yes; Fickert, yes; Purkey, yes; Liermann, yes; Swindler, yes;

Williams, yes; J. McKay, yes.

Motion passes.

President of Council declared Ordinance No. O-18-08 passed as read.

M. Purkey introduced Ordinance No. O-18-10, for a second reading. This legislation will amend the ordinance adding roosters as an animal that is prohibited in the city limits.

Mike Mendelstein had questions about roosters.

Motion by M. Purkey and seconded by K. Swindler to give the second reading only on Ordinance No. O-18-10, An Ordinance amending Section 507.01 of the City of Wilmington Codified Ordinances (Ord. 4883. Passed 11-05-09)

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that the third reading be on the agenda for the February 15<sup>th</sup> meeting.

M. Purkey noted he is continuing to pursue video streaming council meetings and it will continue to be on Judiciary Committee’s agenda.

Parks and Recreation Committee – Chairperson Liermann had no action items.

Safety/ Transportation Committee – Chairperson Liermann had no action items.

Solid Waste/Recycling – Chairperson Albright had no action items.

Streets Committee – Chairperson Williams had two action items.

T. Williams introduced Ordinance No. O-18-04 regarding parking on N. South Street for a third and final reading.

Motion by T. Williams and seconded by J. McKay to give the third reading on Ordinance No. O-18-04 An Ordinance amending the Traffic Control Map and the Traffic Control File.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by T. Williams and seconded by J. McKay to pass the Ordinance as read.

Roll call: Fickert, yes; Purkey, yes; Liermann, yes; Swindler, yes; Williams, yes; J. McKay, yes; Allbright, yes.

Motion passes.

President of Council declared Ordinance No. O-18-04 passed as read.

T. Williams introduced Ordinance No. O-18-11, accepting dedication of a certain street, all utilities, utility easement and utility hardware. Service Director Shidaker explained it's needed to accept the street into the city so we can maintain it. President McKay noted how proud he was of this project.

Motion by T. Williams and seconded by M. Purkey to give the first reading only on Ordinance No. O-18-11, Accepting dedication of a certain street, all utilities, utility easement and utility hardware.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by T. Williams and seconded by M. Purkey to suspend the rules and regulation and give a second and third reading on the Ordinance.

Roll call: Purkey, yes; Liermann, yes; Swindler, yes; Williams, yes; J. McKay, yes; Allbright, yes; Fickert, yes.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by T. Williams and seconded by M. Purkey to pass the Ordinance as read.

Roll call: Roll call: Liermann, yes; Swindler, yes; Williams, yes; J. McKay, yes; Allbright, yes; Fickert, yes; Purkey, yes.

Motion passes.

President of Council declared Ordinance No. O-18-11 passed as read.

Wastewater/Sewer Committee - Chairperson Fickert had no action items.

Water Committee – Chairperson Swindler had one piece of legislation, a third reading on Resolution R-18-03 regarding maintenance of the city's water storage tanks.

Motion by K. Swindler and seconded by M. Purkey to give the third reading on Resolution No. R-18-03 Authorizing the director of Public Service to enter into a Master Services Agreement with Utility Service Co., INC., regarding the care and maintenance of various water storage tanks within the City of Wilmington.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by M. Purkey to pass the Ordinance as read.

Roll call: Swindler, yes; Williams, yes; J. McKay, yes; Allbright, yes; Fickert, yes; Purkey, yes; Liermann, yes

Motion passes.

President of Council declared Resolution No. R-18-03 passed as read.

K. Swindler introduced Ordinance No. O-18-15, making supplemental appropriations from the Water Fund to "Consultant Services" the sum of \$25,000.00 and from the Water Fund to "Match-OPWC" the sum of \$130,000.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-15, Making supplemental appropriations.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by T. Williams to suspend the rules and regulation and give a second and third reading on the Ordinance.

Roll call: Williams, yes; J. McKay, yes; Albright, yes; Fickert, yes; Purkey, yes; Liermann, yes; Swindler, yes.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by T. Williams to pass the Ordinance as read.

Roll call: J. McKay, yes; Albright, yes; Fickert, yes; Purkey, yes; Liermann, yes; Swindler, yes; Williams, yes.

Motion passes.

President of Council declared Ordinance No. O-18-15 passed as read.

Safety/Service Director – Director Shidaker noted the city is in the final stages of the bid project for the street project this year. The city has more streets to pave than we can afford to pave. The project will be large. He will present legislation at next council authorizing him to bid on the streets project. The bid is expected to go out at the end of the month.

Mike Mendelstein of 1006 W. Locust Street asked Director Shidaker about streets. Director Shidaker noted all streets are graded and streets are paved in quadrants. Mendelstein asked about vendor cooperation and their patchwork and complimented Director Shidaker for his work.

#### **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by B. Liermann to accept the Income Tax Report and the Hotel Lodging Tax Report.

Motion passed.

Report accepted as presented.

City Treasurer Fear clarified some numbers on the Income Tax Report.

#### **OPEN TO PUBLIC**

J. McKay noted he had a water leak in front of his house yesterday and complimented Utility Billing Supervisor R. Fair and the Water Department.

No comments from the public.

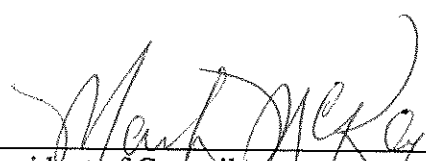
#### **ADJOURNMENT**

A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:17 p.m.

ATTEST:

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Clerk