COUNCIL

May 6, 2021

Wilmington City Council met in regular session on Thursday, May 6, 2021 at 7:30 p.m. at 69 N. South St, Wilmington, Ohio 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; M Snarr, present; K. Fickert, absent; M. Purkey, present; N. Eveland, present; B. Liermann, present; K. Swindler, present.

Motion for approval J. McKay and seconded by N. Eveland that absent members be excused.
Motion passed.
Agenda approved.

Chief Cravens was present as Sergeant at Arms.

Council participated in the Pledge of Allegiance and moment of silence.

PRESIDENT OF COUNCIL

Motion for approval K. Swindler and seconded by J. McKay that agenda be accepted as presented.
Motion passed.
Agenda approved.

President McKay asked if there were any changes to the minutes.

Motion by N. Eveland and seconded by M Purkey approve April 15, 2021 minutes as amended.
Motion passed.
Minutes approved.

Motion by K Swindler and seconded by K. Fickert approve April 20, 2021 minutes as presented.
Motion passed.
Minutes approved.

MAYOR

Mayor Stanforth spoke regarding being back in this room, the Spring Clean Up around Wilmington, Wilmington College Commencement, and the Library Opening.

Mayor Stanforth also issued a Proclamation for Economic Development and thanked Dan Evers for his support on the work he does for economic development in Wilmington and Clinton County.

Dan Evers thanked the community for collaboration on the issue an for Mayor Stanforth for leading the charge.

AUDITOR

Auditor Vance has one item to report.

Auditor Vance wanted to follow up on the item that was removed from the supplemental regarding the minutes. Auditor Vance stated there will be legislation prepared for the next Council meeting. It was not a gift, it was a grant. It was applied for by the fire
department. At the next council meeting, you will be presented with legislation to accept the grant and a supplemental on the line item to accept the expense.

SERVICE AND SAFETY DIRECTOR

Safety/Service Director B. Shidaker had multiple items to present.

B. Shidaker introduced Ordinance No. 21-17 an Ordinance authorizing the Mayor and/or Director of Public Service to enter into a Partnership Agreement with the County of Clinton in order to apply for a Program Year 2021 Community Housing Impact and Preservation (PY2021 CHIP) Program Grant, with the County of Clinton Being Designated as the Grantee, who will be Responsible for Filing the Application on or before June 23, 2021, and Implementing said grant if grant is awarded by the Ohio Development Services Agency, Office of Community Development (OCD), and Declaring an Emergency.

B. Shidaker this is a regular item and as we are working on the Mulberry Street, this will allow us to obtain up to $500,000.00 for that project.

Motion by M. Purkey and seconded by J. McKay to give first reading on the Ordinance by title only.
7 yeas.
Motion Passes.
The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by J. McKay to suspend the rules and regulations and give the second and third readings on the Ordinance.
7 yeas.
Motion Passes.
The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by J. McKay to give the second and third readings on the Ordinance.
7 yeas.
Motion Passes.
The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by J. McKay to pass the Ordinance as read.
7 yeas.
Motion passes.

President of Council declared Ordinance No. O-21-17 passed as read.

B. Shidaker introduced Ordinance No. 21-18 an Ordinance authorizing the Mayor to Enter Into an Annexation Agreement regarding certain Territory Located on US 68 and owned by Joseph R. Bath pursuant to Ohio Revised Code §§ 709.022 and 709.192.

Motion by M. Purkey and seconded by K. Fickett to give first reading on the Ordinance by title only.
7 yeas.
Motion Passes.
The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by K. Fickett to suspend the rules and regulations and give the second and third readings on the Ordinance.
7 yeas.
Motion Passes.
The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by K. Fickett to give the second and third readings on the Ordinance.
7 yeas.
Motion Passes.
The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by K. Fickert to pass the Ordinance as read. 7 yeas.
Motion passes.

President of Council declared Ordinance No. O-21-18 passed as read.

B. Shidaker presented regarding funding for funding on all projects.

Auditor Vance also spoke and stated that numbers are fluid and as we have supplementals and other legislative changes our balance sheet will change. The cash flow of the general fund is constantly fluid. She also stated the City will also be paying off some debt over the next four years. The balance of the 25% carry over will still occur with a $1.8m transfer for the Rombach Avenue Road Project.

There are also Mulberry funds that are expenses under the general fund. There are also also no general fund expenses that will be completed in 2021, but there will be utility movements in 2022. The first phase of Davids Drive is estimated to cost $813,185 and Airborne Drive $2,177,609 in 2022. The state will reimburse Airborne road $1,043,609 and Airborne Road would cost $1,134,00 where we will be issuing a four year note. To issue a four year note would be my recommendation tonight in order to carry forward funds. We are also looking for other funding options that would not impact the general fund. The ending general fund balance is estimated at $2,612,000.

Auditor Vance states 2023 becomes a recovery year. It is difficult to project revenue streams this far into the future as well as expenses. There is nothing we will have to pay out in projects, only approximately $486,068 to pay for the Airborne Road note. We will begin to recover and will put in a position of a 33% carryover with $3.9m.

Auditor Vance state 2024 will have funds to be able to move forward with Davids Drive. Those are items we can manage in order to move forward with infrastructure projects.

COMMITTEE REPORTS AND ACTION

City Revitalization Committee – Chairman M Snarr had no report.

City Services Committee – Chairman N. Eveland had one item to present.

B. Shidaker provided an update on Sugargrove Cemetery providing charts and updates to Council Members and the public with regards to making infrastructure updates to the cemetery. The cemetery is running at approximately a $200,000 yearly deficit. Last year $192,000 was used to support the cemetery using funds from the General Fund. 1 mill would generate approximately $232,000 which can keep the cemetery moving forward at an acceptable level. Mowers need replaced every 5-6 years. Our trucks and buildings are in bad shape. The only additional revenue opportunity is to acquire more land and finance the cemetery renovations.

N. Eveland introduced Resolution R-21-15 a Resolution Declaring the Necessity to Levy a Tax Outside the Ten-Mill Limitation, Requesting the Clinton County Auditor Certify to the City of Wilmington the Total Current Valuation of the City and the Dollar Amount of Revenue that will be generated by an Additional and Continuing Tax Levied of One Mill for Maintaining and Operating a Cemetery.

K. Swindler asked if it is normal for funding for cemeteries that are municipally owed to be funded by levies.

Mayor Stanforth stated all cemeteries are funded by a county levy in Highland County. We are spending down reserves, it is not sustainable to be able to maintain, let alone make it better.

K. Swindler, M. Purkey, and J. McKay being able to maintain the cemetery for burials and utilizing the cemetery as a public space.
N. Eveland said that his family owns seven plots in the cemetery.

Motion by N. Eveland and seconded by J. McKay to give first reading on the Ordinance 7 years.
Motion Passes.
The Law Director read the Resolution by title only.

N. Eveland asked that we have this item on second and third reading at the next meeting.

Finance Committee – K. Swindler had one items to present.

K. Fickert introduced Ordinance No. O-21-19 making supplemental appropriations from “OEPA/WSRLA Water Plant Improvement Loan” to “OEPA/WSRLA WTR Plant Improvement Loan Exp” the sum of $-0.50, “Local Coronavirus Relief Fund” to “Expense/Reimbursement” the sum of $2,000.00, “General Fund” to 110.120.5590 “Rombach Avenue Match” the sum of $1,817,720.00, “Waste Fund” to “Capital Construction” the sum of $30,000.00.

Motion by K. Fickert and seconded by K. Swindler to give the first reading by title only on Ordinance No. O-21-12 making supplemental appropriations from “OEPA/WSRLA Water Plant Improvement Loan” to “OEPA/WSRLA WTR Plant Improvement Loan Exp” the sum of $-0.50, “Local Coronavirus Relief Fund” to “Expense/Reimbursement” the sum of $2,000.00, “General Fund” to 110.120.5590 “Rombach Avenue Match” the sum of $1,817,720.00, “Waste Fund” to “Capital Construction” the sum of $30,000.00.
Motion passed.
7 years.
Motion passed.
The Law Director read the Ordinance by title only.

Motion by K. Fickert and seconded by K. Swindler to suspend the rules and regulations and give the second and third readings on the Ordinance.
7 years.
Motion Passes.
The Law Director read the Ordinance by title only.

Motion by K. Fickert and seconded by K. Swindler to give the second and third readings on the Ordinance.
7 years.
Motion Passes.
The Law Director read the Ordinance by title only.

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

President of Council declared Ordinance No. O-21-19 passed as read.

Judiciary Committee – Chairperson M. Purkey had two items to report.

M. Purkey introduced Ordinance No. 21-14 an Ordinance to Amend the Code of Ordinance, City of Wilmington Ohio to Provide Amendments to Traffic City Code Sections 301.04, 301.20, 303.06, 313.01, 313.09, 331.01, 331.02, 331.03, 331.04, 331.05, 331.06, 331.07, 331.08, 331.09, 331.10, 331.12, 331.13, 331.14, 331.15, 331.16, 331.17, 331.18, 331.19, 331.22, 331.24, 331.26, 331.27, 331.28, 331.29, 331.30, 331.31, 331.33, 331.37, 331.40, 331.43, 333.03, 333.031, 333.04, 333.05, 333.11, 335.09, 335.032, 337.16, 337.27, 341.03, 351.03, 371.01, 371.02, 371.07, 373.01, 373.02, 373.03, 373.04, 373.05, 373.13, 373.14; to provide for Penalties; to provide for Codification; to Provide for Severability; to Repeal Conflicting Ordinances; to provide an effective date; and for other Purposes

K. Swindler asked if all of this language is bringing our ordinances in compliance with the Ohio Revised Code.
Law Director B. Rudduck stated we could still charge on speeding in the first place. There is no reason to not bring the two into compliance.

Motion by M. Purkey and seconded by K. Fickert to give first reading on the Ordinance by title only.
7 yrs.
Motion Passes.
The Law Director read the Resolution by title only.

M. Purkey introduced Ordinance No. 21-15 an Ordinance to Amend the Code of Ordinance, City of Wilmington, Ohio to Provide Amendments to General Offenses Wilmington City Code Sections 501.06, 501.99, 505.071, 505.15, 509.03, 513.01, 513.03, 513.04, 513.05, 513.08, 521.08, 529.07, 533.04, 533.07, 537.16, 549.06; to provide for Penalties; to Provide for Codification; to Provide for Severability; to Repeal Conflicting Ordinances; to Provide an Effective Date; and for other Purposes

Motion by M. Purkey and seconded by M. Snarr to give first reading on the Ordinance by title only.
7 yrs.
Motion Passes.
The Law Director read the Resolution by title only.

M. Purkey asked for second and third reading at our next meeting.

M. Purkey introduced Ordinance No. O-21-20 an Ordinance No. 5268 and Ordinance No. O-29-29 to set at 15 years the Wilmington Community Reinvestment Area Exemption for the Construction of Dwellings Containing not more than one (1) Housing Unit, as Described in Ohio Revised Code (ORC) Section 3735.67, on new lots with no Existing Utility Services Present, with such Exemption being One-Hundred Percent (100%) for each of the Fifteen Years.

M. Purkey stated he wanted to publicly introduce this to have it on the record before we discuss it.

B. Shidaker stated the Community Reinvestment Area or CRA encompasses tax abatements for residential construction only. For example I own a $25,000 in value for a $250,000, there would be an abatement for several years. For a single family, it would be on five years. I could abate the tax for fifteen years. In the legislation, it said we'd revisit it in 2021. That allows you to reconsider or modify it in some way and why that conversation will take place in some way.

K. Swindler asked clarifying questions to confirm understanding of the thresholds in the existing legislation regarding the 5/15 year.

Public Works Committee –Chairperson K. Swindler had no items to report.

Solid Waste/Recycling Committee- Chairperson J. McKay had no items to report.

REPORTS TO COUNCIL

Motion by K. Swindler and seconded by B. Liermann to approve the Auditor Treasurers Report, Income Tax Report and Hotel Lodging Tax as presented.
7 yrs.
Motion passed.

OPEN TO PUBLIC

Julie Bolton asked a question regarding the R-21-15 which the Law Director clarified.

Auditor Vance asked members to give back questionnaire for State Auditor.

N. Eveland said Polaris leased 57,000 ft at the Air Park and was very generous donating to ATV to the Wilmington Police Department.
EXECUTIVE SESSION

A motion by M. Purkey and seconded by J. McKay for council to go into executive session pursuant to O.R.C. 121.22 (G)(8) and O.R.C. 121.22 (G)(3) related only to discussion regarding Community Reinvestment Area Stakeholder Discussion and Executive session pursuant to O.R.C. 121.22(G)(3) related only to the discussion regarding Luther Warren Peace Path Extension at 9:00 p.m.
7 years.
Motion passed.

A motion by M. Purkey and seconded by J. McKay to end executive session at 9:51 p.m.

President M. McKay stated Executive Session pursuant to O.R.C. 121.22(G)(8) related only to discussion regarding Community Reinvestment Area Stakeholder Discussion and Executive session pursuant to O.R.C. 121.22(G)(3) related only to the discussion regarding Luther Warren Peace Path Extension and that no other items were discussed.

ADJOURNMENT

A motion to adjourn was made by B. Liermann at 9:52 p.m.
President M. McKay declared meeting adjourned.

ATTEST:

[Signature]
President of Council

[Signature]
Clerk