

Wilmington City Council met in regular session on Thursday, January 4<sup>th</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; Albright, present; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, present.

Chief Weyand was present.

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**PRESIDENT OF COUNCIL**

President M. McKay opened with a statement (*1-4-2018 Council Minutes- Exhibit A*).

President M. McKay briefly went over meeting rules and housekeeping measures, asking council and citizens to keep comments under 5 minutes.

A motion was made by J. McKay and seconded by Liermann to approve the agenda as presented.

Motion passed.

Agenda approved as presented.

A motion was made by Purkey and seconded by Swindler to approve the December 21<sup>st</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

President M. McKay introduced R-18-01, appointing Kelsey Swindler at President Pro Tempore of Council.

A motion was made by Purkey and seconded by J. McKay to give the first reading only on Resolution No. R-18-01, Appointing the President Pro Tempore of Council 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 Purkey and seconded by J. McKay to suspend the rules and give the second and third reading on the resolution by title only.

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Resolution No. R-18-01 passed as read.

President M. McKay presented the 2018-2019 Committee Appointments.

A motion was made by J. McKay and seconded by Liermann to approve the 2018-2019 Committee Appointments as presented.

All yeas.

Motion passed.

Committee Appointments approved as presented.

President M. McKay introduced R-18-02, appointing Marian Miller as Clerk of Council.

A motion was made by Swindler and seconded by Liermann to give the first reading only on Resolution No. R-18-02 Appointing the Clerk of Council of the City of Wilmington 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 Swindler and seconded by Liermann to suspend the rules and give the second and third reading on the resolution by title only.

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

Director of Law read the resolution by title only.

A motion was made by Purkey and seconded by Liermann to pass the resolution as read.

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

Motion passed.

President of Council declared Resolution No. R-18-02 passed as read.

### **MAYOR**

Mayor Stanforth presented the State of the City, and noted that the State of the City is very good.

### **AUDITOR**

Auditor – Auditor Hollingsworth briefly reviewed the Year End worksheet, stating that they had estimated the General Fund balance would be around 2.25 million, but the year actually ended with 2.5 million. Hollingsworth stated he would have the final numbers to present at the next meeting.

### **COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use – Chairperson Purkey had no action items.

Cemetery Committee – Chairperson J. McKay summarized cemetery statistics from the Mayor's State of the City report.

City Revitalization Committee – Convener J. McKay had no action items but gave an overview of the changes in the committee. J. McKay noted that the local library has a lot of activities, the Equestrian Center has several upcoming horse shows, Main Street Yoga has a program on January 14<sup>th</sup>, and Phil Dirt will be at the Murphy on January 13<sup>th</sup>.

Finance Committee – Chairperson Swindler had three pieces of legislation. The first item Ordinance O-18-01, which are retroactive transfers. The following miscellaneous transfers are from "Admin Benefit Insurance" to "Admin Medicare" the sum of \$167.55, from "Taxi Utilities" to "Taxi Medicare" the sum of \$393.31, and from "Sugar Grove Cemetery Workers Comp" to "Sugar Grove Cemetery Medicare" the sum of \$7.24.

A motion was made by Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-01, Making miscellaneous transfers.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

A motion was made by 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; Allbright, yes; Fickert, yes; Purkey, yes.

Motion passes.

The Law Director read the Ordinance by title only.

A motion was made by 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-18-01 passed as read.

Swindler introduced Ordinance O-18-02, making supplemental appropriations from "Cemetery Fund" to "Contract Opening/Closing" the sum of \$5,000.00.

A motion was made by Swindler and seconded by Williams to give the first reading only on Ordinance No. O-18-02, Making supplemental appropriations.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

A motion was made by Swindler and seconded by 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.

A motion was made by Swindler and seconded by 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-18-02 passed as read.

Swindler introduced Ordinance O-18-05, making supplemental appropriations from the "Water Bond Service Fund" to "Interest Bondholders" the sum of \$0.01.

A motion was made by Swindler and seconded by Albright to give the first reading only on Ordinance No. O-18-05, Making supplemental appropriations.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

A motion was made by Swindler and seconded by Albright to suspend the rules and regulation and give a second and third reading on the Ordinance.

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

Motion passes.

The Law Director read the Ordinance by title only.

A motion was made by Swindler and seconded by Albright to pass the Ordinance as read.

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

Motion passes.

President of Council declared Ordinance No. O-18-05 passed as read.

Judiciary Committee – Chairperson Purkey introduced two pieces of legislation to present for second readings only, both pertaining to Wastewater. Purkey also had one ordinance regarding vicious dogs, to be presented for a first reading only. Director Shidaker summarized the Wastewater legislation, noting the corrections and intents. Purkey asked if there was any discussion on O-17-80 or O-17-81. No comments or discussion.

A motion was made by Purkey and seconded by Liermann to give the second reading only on Ordinance No. O-17-80, Adding Chapter 939 Control of Post-construction Storm Water Runoff to the Codified Ordinance of the City of Wilmington.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Purkey asked for a third reading of O-17-80 on the meeting agenda for January 18<sup>th</sup>.

A motion was made by Purkey and seconded by Swindler to give the second reading only on Ordinance No. O-17-81, Adding Chapter 938 Illicit Discharge Detection and Elimination to the Codified Ordinances of the City of Wilmington.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Purkey asked for a third reading of O-17-81 on the meeting agenda for January 18<sup>th</sup>.

Purkey introduced O-18-03, which would improve and expand rules and regulations related to dangerous or vicious dogs kept within the city limits. Purkey stated they created this piece of legislation to create a safety net, and put the responsibility on the pet owner and the property owner. Williams noted there were a few grammatical errors in the ordinance.

A motion was made by Purkey and seconded by Swindler to give the second 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.

Purkey asked for a second reading of O-18-03 on the meeting agenda for January 18<sup>th</sup>.

Parks and Recreation Committee – Chairperson Liermann had no action items but spoke briefly about his passion for the parks.

Safety/ Transportation Committee – Chairperson Liermann had no action items but stated he was looking forward to serving as chair.

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

Streets Committee – Chairperson Williams had no action items.

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

Water Committee – Chairperson Swindler had one piece of legislation, a first reading on Resolution R-18-03 in regards to the care and maintenance of city water storage tanks. Swindler explained the importance of maintaining the towers, and Superintendent Rick Schaffer concurred with her statements.

A motion was made by Swindler and seconded by Fickert to give the first 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.

Swindler asked for a second reading of R-18-03 on the meeting agenda for January 18<sup>th</sup>.

Swindler thanked Superintendent Shaffer and workers Josh Snell, Josh Smith, and Chris Reilly who worked through the night repairing a water main break on Randolph Street. Swindler stated there were some boil advisories, but all the residents were notified if they were affected.

Safety/Service Director – Director Shidaker had one agenda item, the creation of a no parking zone on North South Street due to safety issues on that side of the street.

A motion was made by J. McKay and seconded by Purkey to give the first 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 Resolution by title only

Williams asked that they move the second reading under the Streets Committee meeting agenda for January 18<sup>th</sup>.

Swindler asked to notify property owners to let them know that the change will be permanent. Shidaker stated there were about 4 houses to be notified.

Shidaker gave an update on the current winter weather, stating the department has used about 700 tons of salt with about 700 tons left in the shed with 650 tons on order. Shidaker stated the road crews have been doing a great job cleaning the streets.

#### **REPORTS TO COUNCIL**

A motion was made by Swindler and seconded by Purkey to accept the Income Tax Report and the Annual Tax Report

Motion passed.

Report accepted as presented.

#### **OPEN TO PUBLIC**

J. McKay thanked the City Employees who worked on the holidays this year.

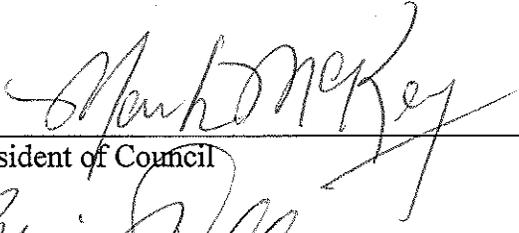
#### **ADJOURNMENT**

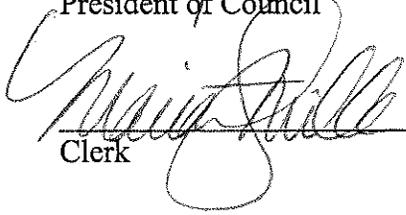
A motion was made by Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:21 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk

President of Council  
Remarks  
1-4-2018

As President of Council I am very excited about the prospect of starting a new year with this group of council members, all of whom I feel I can call a friend.

It is very important for council to have intelligent debate, ask probing questions and deliberate effectively on issues that affect the citizens of Wilmington. I truly believe that this diverse council made up of both men and women, young and “older” and being members of both political parties will honestly and effectively work together to govern this city in the best way possible.

I think it was best said by retiring councilman Joe Spicer in his remarks at his last council meeting in December, “that upon being elected to his first term as councilman he was offered two pieces of advice...one that came from a Democrat friend who, told him to run for his party, but once you are elected, that party goes away and you represent only the citizens. The second came from the late Bob Mead, who told him to stand for what you think is right, even if you are standing alone. He closed by stating to council, always do what you think is right.

You have all campaigned, been elected by the citizens and therefore been asked to represent their best interests.

I believe that this council should and will heed Joe's advice when making important decisions, not as members of any special interest group, but only as **members of council and more importantly Citizens of Wilmington!**

Just a couple of housekeeping items with this being the first meeting of this council I would like to set some common sense guidelines for citizens addressing council.

I would ask that you be recognized by the chair before making a statement from the floor. I would hope that remarks and comments (unless germane to the discussion at hand) be offered at the end of the meeting during the public comment portion of the meeting. Please keep your comments to 3 minutes (at

which time you will be notified by the Clerk) and no more than 5 minutes. If you feel you are going to need more time, please contact the Clerk prior to council for approval.

I know you all are excited to get started with the meeting so let's get going.

Wilmington City Council met in regular session on Thursday, January 18<sup>th</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 Detective Riley 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.

J. McKay requested the City Revitalization Committee be amended to include discussion and a vote on the Retained Hotel Lodging funds.

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

Motion passed.

Agenda approved as amended.

Motion by J. McKay and seconded by K. Fickert to approve to approve the January 4<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

President M. McKay noted that moving forward, the minutes will include paraphrasing and exhibits.

**MAYOR**

Mayor Stanforth was absent.

**AUDITOR**

Auditor – Auditor Hollingsworth was absent.

**COMMITTEE REPORTS AND ACTION**

Asset Acquisition and Use – Chairperson Purkey had two action items, he introduced R-18-06, explaining this allows for the Director of Parks and Rec to enter into the purchase contract for a portion of the Kirkendall property. K. Swindler noted she will abstain from the vote because the land is adjacent to Clinton Memorial Hospital.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Resolution No. R-18-06, A Resolution authorizing the Superintendent of the Parks and Recreation Department to enter into any and all agreements contracts or otherwise, necessary for the purchase of certain real estate and declaring an emergency.

President called for vote.

Motion passed. Six yeas. One abstain.

Director of Law read resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to suspend the rules and give the second and third reading on the resolution by title only.

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

Director of Law read the resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the resolution as read.

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

Motion passed.

President of Council declared Resolution No. R-18-06 passed as read.

President M. McKay noted Park Director Jermaine Isaac, is in the audience for any questions.

M. Purkey introduced R-18-04 and noted this was a yearly piece of legislation allowing for the sale of surplus items. Clerk M. Miller noted this does not eliminate the need for Council's authorization to sell items valued over \$1,000.00.

Motion by M. Purkey and seconded by K. Swindler to give the first reading only on Resolution No. R-18-04 Expressing intent to sell city surplus items to the public through an on-line auction service and declaring an emergency.

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

Motion by M. Purkey and seconded by K. Swindler to suspend the rules and give the second and third reading on the resolution by title only.

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

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Resolution No. R-18-04 passed as read.

Cemetery Committee – Chairperson J. McKay had no action items.

City Revitalization Committee – Convener J. McKay introduced a request for the Retained Hotel Lodging Excise Fund from Main Street Wilmington for Third Friday funding for Over the Rhine to perform for the 100th birthday for the Murphy Theatre in the amount of \$18,690.00.

President M. McKay asked that the Main Street Directors give a short intro and presentation of their request.

J. McKay introduced Main Street Wilmington Co-directors Darcy Reynolds and Ruth Brindle who discussed the request, noting they chose Over the Rhine because they were Clinton County residents and partnering with them would be historic.

K. Swindler asked about the timeline. D. Reynolds noted they need money right away for the contract deposits. K. Swindler requests moving forward to have the requests before council. Steve Sawzin asked what the money would be spent for and D. Reynolds explained the expense sheet noting stage, permits, marketing, and other general expenses. K. Swindler asked if the Murphy Theatre will be contributing any funds to the event. D. Reynolds stated they will collaborate with them on marketing but the Murphy Theatre didn't have the budget for this large event. K. Fickert asked what they usually spend on Third Friday events. D. Reynolds stated typically around \$3,000.00.

Motion by J. McKay and seconded by M. Allbright to approve the request. All yeas.

J. McKay opened discussion to how they would like the process the requests moving forward. M. Purkey noted he would like the request to be approved by full council. K. Swindler noted she hopes the requests are properly vetted before coming to council. T. Williams stated the committee is working on a rubric for requests based on the ordinance.

J. McKay asked the Main Street Wilmington to inform the council on the Instagram contest. D. Reynolds said the photo had to be in downtown and feature why you love Wilmington.

J. McKay mentioned the ribbon cutting NJC Salon on January 27<sup>th</sup>, Mike Armstrong will be at the Murphy Theatre on February 3<sup>rd</sup>, and the World Equestrian Center will unveil a magazine tomorrow at 7:30pm at the Paddock Club.

President M. McKay welcomed Ruth Brindle as the new co-director to Main Street Wilmington.

Finance Committee – Chairperson Swindler had two pieces of legislation. The first item Ordinance O-18-09, making supplemental appropriation from Taxi Fund to “Bureau of Job & Family Services” the sum of \$2,500.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-09, 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: 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 T. Williams 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-18-09 passed as read.

K. Swindler introduced Ordinance O-18-05, Authorizing request for advance payment of settlement from the County, which is just a housekeeping measure.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-05, Authorizing request for advance payment of settlement from County.

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-18-05 passed as read.

Judiciary Committee – Chairperson Purkey had six agenda items to discuss and introduced Ordinance No. O-17-80 for a third and final reading regarding storm water regulations.

Motion by M. Purkey and seconded by B. Liermann to give the third reading only on Ordinance No. O-17-80, Adding Chapter 939 Control of Post-construction Storm Water Runoff to the Codified Ordinance of the City of Wilmington.

All 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.  
All yeas.  
Motion passes.  
President of Council declared Ordinance No. O-17-80 passed as read.

M. Purkey introduced Ordinance No. O-17-81 for a third and final reading.

Motion by M. Purkey and seconded by B. Liermann to give the third reading only on Ordinance No. O-17-81, Adding Chapter 938 Illicit Discharge Detection and Elimination to the Codified Ordinances of the City of Wilmington.  
All yeas.  
Motion passes.  
The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the Ordinance as read.  
All yeas.  
Motion passes.  
President of Council declared Ordinance No. O-17-81 passed as read.

M. Purkey introduced 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 B. Liermann to give the second 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.

M. Purkey asked that the third reading be on the agenda for the February 1<sup>st</sup> meeting.

M. Purkey introduced Ordinance No. O-18-08, stating this legislation would amend the requirement of "read receipts" on meeting notification emails.

Motion by M. Purkey and seconded by M. Allbright to give the first reading only 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)  
All yeas.  
Motion passes.  
The Law Director read the Ordinance by title only.

M. Purkey asked that the second and third reading be on the agenda for the February 1<sup>st</sup> meeting.

M. Purkey introduced Ordinance No. O-18-10, which will amend the ordinance adding roosters as an animal that is prohibited in the city limits.

Motion by M. Purkey and seconded by K. Swindler to give the first 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 second reading be on the agenda for the February 1<sup>st</sup> meeting.

M. Purkey introduced Ordinance No. O-18-07 and asked Tax Commissioner Marque Jones to summarize some of the changes. M. Jones stated the legislation has been amended before and all of these mandated changes come directly from the state.

Motion by M. Purkey and seconded by J. McKay to give the first reading only on Ordinance No. O-18-07, Modifying Chapter 172, to the Codified Ordinance of the City of Wilmington, Ohio and declaring an emergency.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by J. McKay to suspend the rules and give the second and third reading only on the ordinance.

All yeas.

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

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.

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

Motion passes.

President of Council declared Ordinance No. O-18-07 passed as read.

Parks and Recreation Committee – Chairperson Liermann had no action items but recognized Director Isaac was present and also announced a new member of the Park Board, Tim Wiederhold who will be succeeding Troy Seeger.

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

Solid Waste/Recycling – Chairperson Albright had one item, three readings on Ordinance No. O-18-06 making miscellaneous transfers from “Recycle Grant Expenses” to “Recycling Grant Match” the sum of \$198,122.00 noting it was put in the wrong line.

Motion by M. Albright and seconded by K. Fickert to give the first reading only on Ordinance No. O-18-06, Making miscellaneous transfers.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by M. Albright and seconded by M. Purkey to suspend the rules and regulations and give a second and third reading on the Ordinance.

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

Motion passes.

The Law Director read the Ordinance by title only.

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

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

Motion passes.

President of Council declared Ordinance No. O-18-06 passed as read.

Streets Committee – Chairperson Williams had one action item, a second reading on Ordinance No. O-18-04. He explained this establishes a no parking zone on North South Street. He noted the property owners were all notified by mail via Service Director Shidaker.

Motion by T. Williams and seconded by J. McKay to give the second reading only 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 Resolution by title only.

T. Williams asked that the third reading be on the agenda for February 1<sup>st</sup>.

T. Williams thanked the Street Department for their work on the streets with all the snow and noted their amazing job.

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

Water Committee – Chairperson Swindler had one piece of legislation, a second reading on Resolution R-18-03.

Motion by K. Swindler and seconded by K. Fickert to give the second 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.

Swindler asked for a third reading of R-18-03 on the meeting agenda for February 1<sup>st</sup>.

Safety/Service Director – Director Shidaker commended the Sanitation Department. Since 2013, the landfill had been under special orders with the EPA for additional requirements because of previous violations. Sanitation Superintendent Crowe noted the letter from 2013 had listed numerous requirements. B. Shidaker noted the EPA released the landfill from the additional requirements. He mentioned the EPA also stated the landfill has never looked better. He thanked the leadership and employees.

B. Shidaker also summarized street program with the snow and salt treatment. He clarified the city never ran out of salt and there is also a mutual agreement with the county that we could use their salt at cost. He noted that the city had eight plows going and one truck is still down. Also, state routes must be cleared first and then main roads. He maintains a policy and the policy is also a public record. K. Fickert complimented M & R Superintendent Runk's approachability and how receptive to feedback he was.

#### **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by M. Purkey to accept the Auditor Treasurer Report and the 2017 Interest Statement and Municipal Court Report.

Motion passed.

Report accepted as presented.

#### **OPEN TO PUBLIC**

Steve Sawzin- 43 Fulton Street- He noted he lives in great neighborhood. He doesn't care about animals in the backyard. He's concerned about the Zoning Task Force and it feels like a homeowners association. He thinks it will affect how people will be able to live in their backyards. He wants council to attend. He thinks that council will get the legislation and not the background. He also thanked the street crew for their work on snow removal.

M. Purkey stated he intentionally is staying away from the meetings so there is no perception council is steering the task force. He keeps up with the minutes but chooses not to attend. He appreciates the community involvement. He assured it will go to Judiciary and be reviewed.

M. Allbright noted he went to the meetings as a candidate but stopped after becoming a councilperson for a similar reason as M. Purkey. He may still go but he also doesn't want to influence.

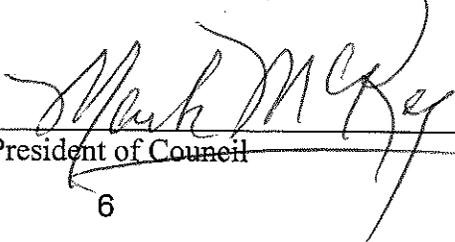
#### **ADJOURNMENT**

A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:37 p.m.

ATTEST:

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

*Maura Hill*  
Clerk

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.

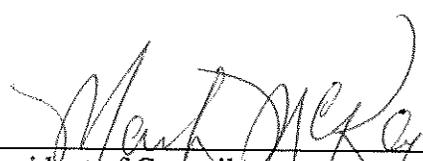
#### **ADJOURNMENT**

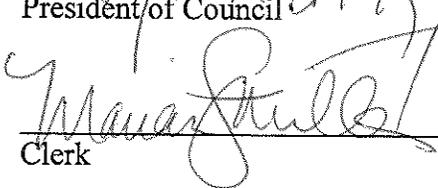
A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:17 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk

Wilmington City Council met in regular session on Thursday, March 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 also 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. Hearing none, M. McKay asked for a motion.

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 J. McKay to approve to approve the February 15<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

M. McKay noted Dan Evers of the Director of the Clinton County Port Authority was in attendance and welcomed him to council.

**MAYOR**

Mayor Stanforth summarized the proposed Ohio Senate Bill for capital spending. Thanked Speaker Rosenberger and Senator Peterson for their help and noted various projects that would be receiving funding.

Mayor Stanforth thanked Law Director Rudduck for his help with code violators. He mentioned the city's new IT company has been helping identifying duplicate services and saving the city money.

He mentioned the City Aggregation and noted that citizens do not have to do anything to receive the rate. They are just being notified of the changes. Stanforth also encouraged the citizens to educate themselves before signing anything to change their energy supplier.

Stanforth stated there were several upcoming events, including the East Clinton musical and the Drowsy Lads at the Murphy Theatre. Stanforth stated there was another Economic Development round table discussion and things are moving slowly, but they are moving.

**AUDITOR**

Auditor – Auditor Hollingsworth was not present.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director – Director Shidaker and Superintendent Crowe presented new recycling program. B. Shidaker noted history of program and grant application process. Superintendent Crowe and B. Shidaker summarized the program launch. M. Crowe

thanked his employees for taking this project on and always facing the tasks of this project. He stated residents can keep the 18 gallon bins or recycle them. M. Crowe clarified the toters will begin collection two weeks after they are dropped off at the residence.

General comments of support from council. B. Shidaker thanked council that despite the CCSWMD not contributing to the project, council supported the project and funded it.

Director Shidaker introduced Taylor Stuckert to summarize the Pedestrian Safety Plan. He noted the progress made on sidewalks and safety and noted the strong interest for this safety study. The study focused on 50 acres of downtown, expanding the study outside the historic downtown (25 acres). Stuckert reviewed the scoring process for intersections, blocks, sidewalks, lighting, and speed. He emphasized the downtown focus of the study is not to limit the study but to be a starting point. T. Stuckert summarized results of study and noted adopting the safety plan will be the first step and open the city up to additional grant opportunities.

B. Shidaker presented request for reading on Resolution No. R-18-08. He noted the permit fees are too low and they need to be updated. Shidaker stated they do have draft legislation and are going to work on updating those fees. Shidaker introduced the legislation for the opening permits with Vectren, noting this is the same legislation they introduced last year.

Motion by M. Purkey and seconded by J. McKay to give the first reading only on Resolution No. R-18-08, Authorizing the Director of Public Service to enter into agreements with Vectren Energy Delivery regarding street and right-of-way opening permits for the gas line modernization program, and declaring an emergency

All 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 regulation and give a second and third reading on the Resolution.

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by J. McKay to pass the Resolution 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 Resolution No. R-18-08 passed as read.

## **COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use – Chairperson Purkey had no report

Cemetery Committee – Chairperson J. McKay had no report.

City Revitalization Committee – Convener J. McKay had no action items but updated council on the egg hunt at the library.

Finance Committee – Chairperson Swindler had two pieces of legislation. K. Swindler introduce R-18-09, explaining that this Resolution pertains to Custom Molded Products, Ahresty, and the TIF Agreement for the Jump Hangar.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Resolution No. R-18-09, Enacting Tax Incentive Review Council Recommendation

All yeas.

Motion passes.

The Law Director read the Resolution 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 Resolution.

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

Motion passes.

The Law Director read the Ordinance by title only.

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

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

Motion passes.

President of Council declared Resolution No. R-18-09 passed as read.

K. Swindler introduced Resolution No. R-18-10, Authorizing and directing the Director of Public Safety to enter into a lease with option to purchase agreement with Leasing 2, INC. and declaring an emergency. She noted it was discussed in committee.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Resolution No. R-18-10, Authorizing and directing the Director of Public Safety to enter into a lease with option to purchase agreement with Leasing 2, INC. and declaring an emergency

All yeas.

Motion passes.

The Law Director read the Resolution 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 Resolution.

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by Swindler and seconded by J. McKay to pass the Resolution 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-18-10 passed as read.

Judiciary Committee – Chairperson Purkey had no report.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Liermann had no report.

Solid Waste/Recycling – Chairperson Allbright had no report.

Streets Committee – Chairperson Williams had no report.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had no report.

## **REPORTS TO COUNCIL**

A motion was made by K. Swindler and seconded by M. Purkey to accept the Income Tax Report.

Motion passed.

Report accepted as presented.

**OPEN TO PUBLIC**

Paul Hunter- Made statement. See *Exhibit A*.

Mike Mandelstein- He requested the Law Director and Safety Director to put a published response in the newspaper in response to Paul Hunter's statement to clarify what he believes is likely a misunderstanding.

James Bolin of Blanchester- Provided a short bio and announced his candidacy for County Commissioner.

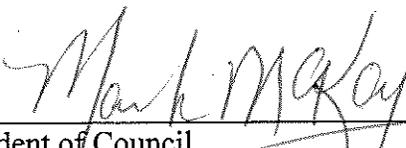
**ADJOURNMENT**

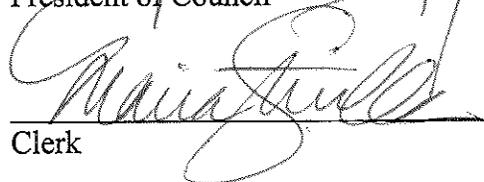
A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:31 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk

## Zoning Enforcement

Mr. President and Council members

This presentation is intended to inform council and the public. The local newspaper has refused to publish information concerning this case. All of the information in this presentation is supported by hard data unless denoted otherwise.

When council enacts laws they should ensure that the administration enforces them and to raise questions when the administration fails to do so.

The case at hand is a zoning violation by a property owner that that should have been resolved within 30 days but had taken a year and a half.

### Chronology of events

July 13, 2016: A complaint was made that Timber Tech also known as AZEK was openly storing building materials at 1096 Wayne Ave.

Note: Actually Timber Tech was a near irrelevant third party in the case. The contract to store the material was between the property owner and Runway Logistics a subsidiary of Sewell Trucking.

The Code Enforcement Official inspected and took photos of the property, zoned B-3 roadside business. The pictures and the inspection revealed, "that the entire back lot is filled with [building] materials.

July 18, 2016: The Mayor, the Code Enforcement official and the Service Director met with representatives of Timbertech. (not a party to the zoning violation) The representatives stated that they were working on an arrangement. There are no details of the arrangement in the record. It was also noted that the Mayor is to talk to the son of the property owner and to hold any further notice or action unless notified otherwise.

September 8, 2016: Another zoning violation complaint is made concerning same property

September 20, 2016: Mayor directs enforcement office to initiate enforcement.

September 27, 2016 Code enforcement official contacted Timbertech and advised that this (building material) needs to be cleaned up.

Note: Timbertech is not the zoning code violator, the property owner is.

October 10, 2016: Code enforcement contacted Timbertech and they have no plan to remedy the violation. In an effort to solve the problem, the code enforcement office an out of city property owner seeking a site to relocate the junk material. A property owner agreed to store the material. The offer was rejected.

Exhibit A

3/11/2018

Minutes

October 21, 2016: After failing to remedy the situation by common agreement the City sent a notification letter to the property owner spelling out the violation of the code. "The property is zoned B-3. The open storage of materials is not permitted in this zone". "Corrective action, relocating openly stored material, is required within 30 days." The property owner spoke with the Mayor and the Code official.

November 18, 2016: Code enforcement official spoke with Timbertech. They are still working on a plan.

December 18, 2016 Mayor directs the code enforcement official to proceed with turn over to the city prosecutor.

December 22, 2016: Timbertech has a plan to remove the material in April of 2017. Case submitted to the city Prosecutor.

May 19, 2017: Case was filed with the municipal court.

July 17, 2017: Outside court's jurisdiction The service director contacts the son of the defendant offering a settlement and release of the charges against the defendant.

The the main thrust of agreement included changing the use of the property from open storage to allowed wholesale establishment.

- a. The defendant is not a wholesaler of the material.
- b. Runway Logistics is not a wholesaler of the material.
- c. Offers to purchase the material by other parties was denied by Timbertech.

The city agrees to dismiss any code violations pertaining to the property at 1096 Wayne Road [Avenue}

Signature lines for the Mayor, the Service Director and the defendant.

There is no record that defendant accepted or signed the agreement.

A statement in the agreement that the city desires to maintain a relationship with the defendant seems out of place for the plaintiff in a court case involving the breaking city law.

After gathering bit and pieces of information from various sources my best guess is that the emailed offer to drop the case rebounded and the discovery of the document by the defendant's attorney led to a dismissal request by the city prosecutor.

After 16 court events in seven months the case was dismissed.

This case has prevented the city from filing two other identical violations. and done harm to the zoning code enforcement .

In the meantime the property owners as defacto zoning violators are earning thousands of dollars each year in rent.

## SETTLEMENT AND RELEASE AGREEMENT

THIS AGREEMENT, effective on the last date signed below, is entered into between the City of Wilmington, the Mayor and the Director of Public Service on behalf of themselves, their employees and agents (in their official capacities), elected officials, appointees, and their predecessors, and successors, and each of them, jointly and severally (hereinafter "the City"), and Patricia Dixon, on behalf of herself and her heirs, executors, guardians, administrators, successors and assigns, and each of them, jointly and severally (herein singularly and collectively called "Ms. Dixon"), who agree to be bound by all of the terms and conditions hereof. The City and Ms. Dixon shall be collectively referred to as "the Parties."

WHEREAS, the City is committed to equal and fair application of zoning and property code enforcement.

WHEREAS, in 2016, at 1096 Wayne Road a zoning violation was identified due to extensive outdoor storage of material in a B3 Roadside Business District. Later that year, during a meeting with previous executive leadership at AZEK, the Vice President, Alan Shaw, characterized the material as "scrap". This prompted concern for additional violations. The material was also stored in a half hazard and potentially dangerous manner.

WHEREAS, in light of a new depiction and purpose for the material from AZEK Senior Vice President, Bobby Gentile, and the commitment from AZEK that the material is going to be sorted and re-banded, the Parties desire to fully and completely resolve, settle and dispose of any and all disputes or claims of whatever kind or nature with respect to any and all matters between the Parties.

WHEREAS, the City desires to continue and foster a relationship with Ms. Dixon and AZEK. Both relationships offer many advantages to the City of Wilmington and the City of Wilmington is a great place to do business.

NOW THEREFORE, the Parties hereto acknowledge and voluntarily agree as follows:

1. Pursuant to §1155.041(m) PERMITTED USES – Storage Uses of the Codified Ordinances of the City of Wilmington, wholesale establishment is a permitted use in a B3 Roadside Business District.
2. Ms. Dixon agrees and understands that the property located at 1096 Wayne Road is currently being used as a "Wholesale Establishment" and will comply with all permitted uses within the B3 Roadside District. Including but not limited to the product being stored consistent with a Wholesale Establishment use and will not permit the property to be utilized as a "Junk Yard".
3. The City agrees to dismiss without prejudice any code violations pertaining to the property located at 1096 Wayne Road.
4. Upon the dismissal of the Code Violation, Ms. Dixon hereby releases and forever discharges the City on behalf of themselves, their employees and agents (in their official capacities), elected officials, appointees, and their predecessors, and successors, and each of them, jointly and severally and Ms. Dixon, on behalf of herself and her heirs, executors, guardians, administrators, successors and assigns, and each of them, jointly and severally or corporations liable or who might be claimed to be liable and (collectively "Releasees") none of whom admit liability to the undersigned but all expressly deny any liability, of and from any and all liability, claims, demands, charges, complaints, controversies, actions causes of action, and suites at law or inequity of any kind or nature whatsoever, known or unknown, asserted or unasserted, suspected or unsuspected, including without limitation any claim which was or could have been raised by Releasor in a court of law or any other forum, any claim under any local, state or federal statute, and any claim under any other statutory,

administrative, constitutional, contractual; tort, common law or other legal or equitable theory whatsoever, which Releasor may have or claim or have regarding any matter as of the date of her execution of this Release; and,

5. The undersigned hereby declares that the terms of this Release have been completely read and are fully understood and voluntarily accepted for the purpose of making a settlement of any and all claims, disputed or otherwise, and for the express purpose of precluding forever any further or additional claims.

WHEREFORE, the Parties have read all of the foregoing, understand the same, and agree to all of the provisions contained herein.

THE CITY OF WILMINGTON

PATRICIA DIXON

By: \_\_\_\_\_  
John M. Stanforth  
Mayor

By: \_\_\_\_\_  
Patricia Dixon

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Brian A. Shidaker  
Director of Public Service

Facsimile

**From:** Brian Shidaker

**Sent:** Monday, July 17, 2017

**To:** 'bret.dixon@mail.com'

**Subject:** Settlement and Release

Brett,

This is a rough draft that will resolve any issue with your mother's property. I hope it's appropriate to send it through you. Please review and make any corrections to your family's satisfaction and I will get the appropriate signatures from the City. Thank you for your time

Brian Shidaker

Director of Public Service

Director of Public Safety

City of Wilmington

69 N. South Street

Wilmington, OH 45177

(937) 382-6509(vopce)

Wilmington City Council met in regular session on Thursday, March 15<sup>th</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, reflecting an amendment. {Addition of Ordinance No. O-18-26 under Finance}

Motion by J. McKay and seconded by B. Liermann to approve the agenda as amended.

Motion passed.

Agenda approved as amended.

Motion by K. Swindler and seconded by J. McKay to approve to approve the March 1<sup>st</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

**MAYOR**

Mayor Stanforth announced the Tire Amnesty Day on April 28<sup>th</sup>, reminding users to bring an ID. He noted street bids came in very good. He also mentioned open enrollment for the City employees' health insurance has been completed. Stanforth mentioned audits are currently being completed on telephone and internet services. Stanforth also summarized upcoming local community events.

Mayor Stanforth also announced the birth of his new great grandson, Miller Maxwell, 9lbs 8oz.

**AUDITOR**

Auditor – Auditor Hollingsworth was not present.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director– Director Shidaker mentioned there is a board of control meeting tomorrow for bid selection and the bids were very competitive. Shidaker also announced a presentation at Holmes School for Traffic Safety week at the elementary school tomorrow.

**COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use – Chairperson Purkey had no report

Cemetery Committee – Chairperson J. McKay had no report.

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

Finance Committee – Chairperson Swindler had two pieces of legislation to present. K. Swindler introduced Ordinance No. O-18-21, Making supplemental appropriations from the “Water System Revenue Fund” to “Water Distribution Maintenance” the sum of \$46,607.46 and from the “General Fund” to “Tech Grant Expense” the sum of \$33,848.00.

K. Swindler noted the water fund request was due to an emergency measure taken after a pipe collapse on State Route 380 a few weeks ago.

730 WBYA

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-21, 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: 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, yes; Williams, yes; J. McKay, yes.

Motion passes.

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

K. Swindler introduced O-18-26 regarding note reissuance. K. Swindler stated this ordinance reduces the interest rate from 5% to 3.5% with a savings of \$50,000.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-26, Ordinance Amending Ordinance No. 4882 to reflect modification of interest rate and reduction in quarterly payment with respect to the City's Outstanding energy conservation improvement Note, Series 2009, and declaring an emergency.

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: 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 K. Swindler and seconded by T. Williams 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-18-26 passed as read.

Judiciary Committee – Chairperson Purkey had three items on the agenda.

M. Purkey introduced Ordinance No. O-18-20 noting this was housekeeping for amending the city codified ordinances to match Ohio Revised Code.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Ordinance No. O-18-20 An Ordinance approving the editing an inclusion of certain ordinance as parts of the various component codes of the Codified Ordinance of the City of Wilmington, Ohio; and declaring an emergency.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by B. Liermann 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; Albright, yes; Fickert, yes.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the Ordinance as read.  
Roll call: Liermann, yes; Swindler, yes; Williams, yes; J. McKay, yes; Albright, yes;  
Fickert, yes; Purkey, yes.  
Motion passes.

President of Council declared Ordinance No. O-18-20 passed as read.

M. Purkey introduced Ordinance No. O-18-22, amending the Classification plan to create a Cemetery Grounds Technician and a Source Water Protection Coordinator. M. Purkey explained the need for the two positions and that both were budgeted for this year. Service Director B. Shidaker noted these positions were reviewed and recommended by the Civil Service Commission.

Motion by M. Purkey and seconded by J. McKay to give the first reading only on Ordinance No. O-18-22 Amending Ordinance No. O-17-31 Establishing Classification and salary ranges for certain city employees, repealing Ordinance and parts of Ordinance in conflict herewith

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that the second and third reading be on the next council meeting.

M. Purkey introduced Ordinance No. O-18-23, explaining the need to revise the way employee vacation leave is accrued and when the employee can begin to use it. M. Purkey stated they would be able to take the leave they accrued after 90 days instead of waiting an entire year, and this change would clean up the Ordinance.

Motion by M. Purkey and seconded by M. Albright to give the first reading only on Ordinance No. O-18-23 An Ordinance amending Section 133.02 of the City of Wilmington Codified Ordinances (Ord. 2688. Passed 12-18-86.)

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that the Second reading on next agenda

M. Purkey noted there are only two more zoning task force meetings and then the task force will begin compiling their recommendations.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Liermann had no report

Solid Waste/Recycling – Chairperson Albright had no action items but he complimented the new recycling program containers and noted the program start next week.

Streets Committee – Chairperson Williams had one item, a resolution adopting the Downtown Wilmington Pedestrian Improvement Plan that had been presented by T. Stuckert from the Regional Planning Commission at the previous council meeting.

Motion by T. Williams and seconded by K. Swindler to give the first reading only on Resolution No. R-18-11 Adopting the Downtown Wilmington Pedestrian Improvement Plan

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

T. Williams asked that the second reading be on the agenda for the next council meeting.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had no report.

## **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by M. Purkey to accept the Auditor  
Treasurer Report.  
Motion passed.  
Report accepted as presented.

**OPEN TO PUBLIC**

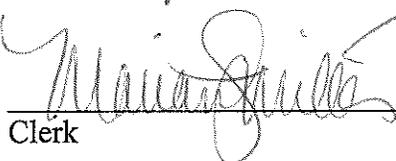
Treasurer Paul Fear noted Murphy Theatre had an upcoming event, Mutts Gone Nuts on  
Sunday.

**ADJOURNMENT**

A motion was made by B. Liermann.  
President M. McKay declared meeting adjourned.  
Council adjourned at 8:29 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk

Wilmington City Council met in regular session on Thursday, April 5<sup>th</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 presented an amended agenda.

Motion by M. Purkey and seconded by J. McKay to approve the amended agenda as presented.

Motion passed.

Agenda approved as presented.

K. Swindler noted the minutes need to reflect the pipe collapse happened on 730, not 380.

Motion by K. Swindler and seconded by B. Liermann to approve to amended minutes the March 15<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

**MAYOR**

Mayor Stanforth introduced Elizabeth Humad from Secretary of State Husted's Office Humad, who presented a letter of congratulations to the City of Wilmington for recognition for Micropolitan status. Clinton County Port Authority Director Dan Evers was present as well to receive the recognition and explained the accomplishment.

Mayor Stanforth introduced Susan Valentine-Scott, Director of CCCVB, to present her budget. President Doug Devilbiss also reviewed budget with council.

Mayor Stanforth congratulated HR Director Jeanne Pope for her continuing efforts in regards to city safety. Her efforts and required safety meetings have helped reduce worker's comp incident rates 25%.

Mayor Stanforth provided various updates regarding community events including the Time Capsule opening at CMH and the upcoming Wine Walk in May.

**AUDITOR**

Auditor – Auditor Hollingsworth was not present.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director – Director Shidaker presented information with Chief Weyand regarding the new siren system. Chief Weyand noted there will be a new tone tested for the siren system on Saturday. It will be used for air quality or hazmat situations.

Director Shidaker refreshed council on recycling status, as they have increased usage. Sanitation will pick up recycling totes weekly. He also noted he entered into the street repair contract and has an excellent price. There may be an opportunity for additional paving. Director Shidaker gave general project updates around the community, including gas line replacement, sidewalk repairs, and the water tower repair.

## **COMMITTEE REPORTS AND ACTION**

Asset Acquisition and Use – Chairperson Purkey had no report.

Cemetery Committee – Chairperson J. McKay had no report.

City Revitalization Committee – Convener J. McKay had no report but reminded everyone of the community “Shred it” day sponsored by Wilmington City Schools and Wilmington Savings Bank. J. McKay also stated that the library has a new director who would like to attend a council meeting to discuss future plans. J. McKay also stated the United Way has a fundraiser at the Elks and the Spring Farmer’s Markets are starting every other Saturday.

Finance Committee – Chairperson Swindler had one piece of legislation, making supplemental appropriations from the “General Fund” to “Update Codified Ordinances” the sum of \$890,34, from the “Police Evidence Fund” to “Program Expenses” the sum of \$6,000.00, from the “General Fund” to “Income Tax Refunds” the sum of \$35,000.00, from the “General Fund” “System/Tech Upgrades” to the sum of \$50,000.00, from the “General Fund” to “Consultant-IT” the sum of \$7,500.00, and from the “Water Fund” to “Direct Deductions” the sum of \$25.01.

Motion by K. Swindler and seconded by K. Fickert to give the first reading only on Ordinance No. O-18-27. 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: J. McKay, yes; Allbright, 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 K. Fickert to pass the Ordinance as read.

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

Motion passes.

President of Council declared Ordinance No. O-18-27 passed as read.

Judiciary Committee – Chairperson Purkey had seven items on the agenda. M. Purkey introduced O-18-22 for the second and third reading. This update is regarding the addition of two new budgeted for positions, a Cemetery Grounds Technician and a Source Water Protection Coordinator.

Motion by M. Purkey and seconded by J. McKay to suspend the rules and regulation and give a second and third reading on Ordinance No. O-18-22 Amending Ordinance No. O-17-31 Establishing Classification and salary ranges for certain city employees, repealing Ordinance and parts of Ordinance in conflict herewith.

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

Motion passes.

The Law Director read the Ordinance by title only.

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

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

Motion passes.

President of Council declared Ordinance No. O-18-22 passed as read.

M. Purkey introduced O-18-23 regarding the use of vacation time accrued for city employees for a second and third reading.

Motion by M. Purkey and seconded by M. Allbright to suspend the rules and regulation and give a second and third reading on Ordinance No. O-18-23 An Ordinance amending Section 133.02 of the City of Wilmington Codified Ordinances (Ord. 2688. Passed 12-18-86.)

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

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by M. Allbright 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 Ordinance No. O-18-23 passed as read.

M. Purkey introduced R-18-13, regarding the CHIP Partnership for a first reading. M. Purkey stated that this agreement is renewed each year and it helps homeowners.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Resolution No. R-18-13. Authorizing the formation of a partnership with Clinton County to act as the official grantee for the PY 2018 Community Housing impact and preservation program and, declaring and emergency.  
All yeas.

Motion passes.

The Law Director read the Resolution by title only.

M. Purkey asked that the second and third reading be on the next agenda.

M. Purkey stated O-18-24 and O-18-25 are regarding updating the permit fees for street openings and sidewalk, curb, gutter, and driveway aprons.

Motion by M. Purkey and seconded by K. Fickert to give the first reading only on Ordinance No. O-18-24 Amending Section 903.02 Permit and Fee of Chapter 903 Sidewalk, curb, gutter and driveway apron construction of the Wilmington Codified Ordinances.  
All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Purkey asked that the second and third reading be on the next agenda.

Motion by M. Purkey and seconded by M. Purkey to give the first reading only on Ordinance No. O-18-25 Amending Chapter 901 Street Openings of the Wilmington Codified Ordinances.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Purkey asked that the second and third reading be on the next agenda.

M. Purkey introduced Chief Weyand, who stated they want to amend the age restriction on this ordinance to help with recruitment of officers. B. Shidaker also offered comment, stating other cities have also removed their age requirement as well.

Motion by M. Purkey and seconded by J. McKay to give the first reading only on Ordinance No. O-18-28 Supplementing the Codified Ordinance of the City of Wilmington, Ohio by adding thereto Section 133.24 of the Codified Ordinance of the City of Wilmington, relative to the elimination of maximum age restriction for initial appointment of the position of Police Officer.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Purkey asked that the second and third reading be on the next agenda.

M. Purkey introduced Taylor Stuckert to speak briefly about the plans for a Mulberry Street parking lot by the bike trail. Stuckert explained the need to lease the property in order to acquire the needed funds for paving the lot. Taylor thanked M. Miller and Council for their sensitivity to the timing of the passage of the legislation.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Resolution No. R-18-16. Authorizing a lease of land between the City of Wilmington, Ohio and Clinton County Park District; and declaring an emergency.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to suspend the rules and regulation and give a second and third reading on the Resolution.

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the Resolution as read.

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

Motion passes.

President of Council declared Resolution No. R-18-16 passed as read.

Parks and Recreation Committee – Chairperson Liermann had no action items but summarized recent park board meeting and updated on the new park board member Dauna Armstrong who was recently appointed as the President.

Safety/ Transportation Committee – Chairperson Liermann had two items, both involving the sale of City surplus property.

Motion by B. Liermann and seconded by K. Swindler to give the first reading only on Resolution No. R-18-14. Declaring surplus property, to wit: Transit vehicles valued at more than \$1000, and authorizing the sale of said vehicles.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by K. Swindler to suspend the rules and regulation and give a second and third reading on the Resolution.

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by K. Swindler to pass the Resolution as read.

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

Motion passes.

President of Council declared Resolution No. R-18-14 passed as read.

B. Liermann introduced R-18-15, declaring surplus property to wit; a federal signal tornado siren.

Motion by B. Liermann and seconded by J. McKay to give the first reading only on Resolution No. R-18-15. Declaring surplus property, to wit: A Federal signal tornado siren valued at more than \$1000, and authorizing the sale of said property

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by K. Swindler to suspend the rules and regulation and give a second and third reading on the Resolution.  
Roll call: J. McKay, yes; Allbright, yes; Fickert, yes; Purkey, yes; Liermann, yes; Swindler, yes; Williams, yes.

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by K. Swindler to pass the Resolution as read.

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

President of Council declared Resolution No. R-18-15 passed as read.

Solid Waste/Recycling – Chairperson Allbright had no action items but updated on the success of the new recycling program.

Streets Committee – Chairperson Williams two items, the second reading on the Downtown Pedestrian Plan and three readings on the preliminary legislation for the Urban Paving Project.

Motion by T. Williams and seconded by J. McKay to give the second reading only on Resolution No. R-18-11 Adopting the Downtown Wilmington Pedestrian Improvement Plan.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

T. Williams asked that the third reading be on the next agenda.

T. Williams asked B. Shidaker to speak about the Urban Paving Project. B. Shidaker stated the final plans for 2019 need to be submitted by May 1<sup>st</sup> and he's asking for the authorization in order to do that in a timely fashion.

Motion by T. Williams and seconded by K. Swindler to give the first reading only on Resolution No. R-18-12. Adopting preliminary legislation or FY 2019 ODOT Urban Paving Project (PID NO. 101421/CLI SR 134 12.02) to pave portions of State Route 134 within the limits of the City of Wilmington; and declaring an emergency.  
All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by T. Williams and seconded by J. McKay to suspend the rules and regulation and give a second and third reading on the Resolution.

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by T. Williams and seconded by M. Allbright to pass the Resolution as read.

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

President of Council declared Resolution No. R-18-12 passed as read.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had no report.

## REPORTS TO COUNCIL

A motion was made by J. McKay and seconded by M. Purkey to accept the Income Rax report.

Motion passed.

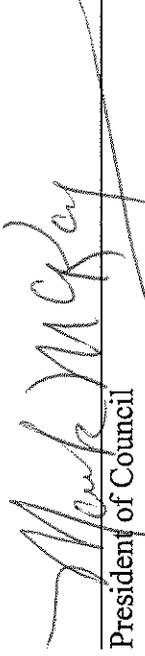
Report accepted as presented.

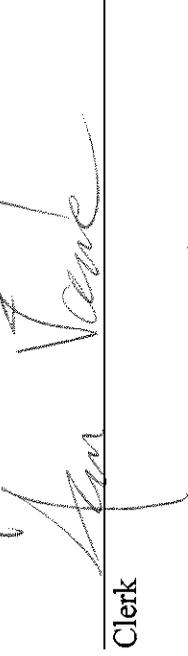
**OPEN TO PUBLIC**

**ADJOURNMENT**

A motion was made by B. Liermann.  
President M. McKay declared meeting adjourned.  
Council adjourned at 8:39 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Acting Clerk

**COUNCIL**

April 19<sup>th</sup>, 2018

Wilmington City Council met in regular session on Thursday, April 19<sup>th</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; Albright, present; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, present.

Chief Weyand arrived at 7:35pm

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

**PRESIDENT OF COUNCIL**

President M. McKay asked if there were any changes to the agenda, hearing none he asked for a motion to approve the minutes as presented.

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

Agenda approved as presented.

President M. McKay asked if there were any changes or corrections to the minutes, hearing none he asked for a motion to approve the minutes as presented.

Motion by J. McKay and seconded by K. Fickert to approve to minutes the April 5<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

**MAYOR**

Mayor Stanforth had two proclamations to present. The first for the Tree Commission in honor of Arbor Day on Friday April 27<sup>th</sup>. Members Kim Law, John Branstrator, Ann Reno, and President Chris Hodgson were in attendance. Hodgson stated that 218 trees have been planted so far. Mayor Stanforth presented the second proclamation to Shelby LaPine in honor of Donate Life Month. LaPine accepted the proclamation on behalf of her late son, Luke LaPine, who unexpectedly passed away. Luke's organs were donated and his mother stated they had gone to 75 recipients. Mrs. LaPine stated that Luke's heart still beats to this day, and shared a recording with the audience.

Mayor Stanforth stated there were several community events coming up; the Historical Marker Dedication for the '64 air disaster is taking place on April 21<sup>st</sup> at Denver Williams Park. Global Youth Service Day will take place at the Clinton County Youth Council and if you would like to volunteer, please contact Eric Guindon. The New Life Clinic's Walk for Life would be taking place on Saturday at 8am and the Murphy Theatre is hosting a sold out show on Saturday evening. The county Tire Amnesty Day and Community Shred Day will be taking place on April 28<sup>th</sup>. Wine Walk tickets for May 18<sup>th</sup> went on sale Wednesday and 540 have been sold so far. The Mayor also stated there will be a firework training at the Clinton County Fairgrounds on April 28<sup>th</sup>, and he reminded all citizens to keep their pets safe at this time.

**AUDITOR**

Auditor – Auditor Hollingsworth was present, but had no report.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director – Director Shidaker introduced an Ordinance granting an easement for Vectren as they continue updating the gas lines. This would allow them to continue the work through the Mural Parking Lot.

Motion by K. Fickert and seconded by M. Purkey to give the first reading only on Ordinance No. O-18-32 Authorizing the granting of right of way and easement to Vectren Energy

Delivery of Ohio, INC. as part of the 2018 Bare Steel Cast Iron Replacement Project and declaring an emergency.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Fickert and seconded by J. McKay to suspend the rules and regulations and give the second and third readings 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 n by title only.

Motion by K. Fickert and seconded by J. McKay 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-18-32 passed as read.

Director Shidaker briefly spoke about the sign shop at the Maintenance and Repair Department. Shidaker stated they are currently able to make their own signs, and he stated when time and weather permits, they are replacing the worn ones. Shidaker also stated they are able to reuse and rehabilitate the old signs and make them more reflective. Shidaker stated the arrow signs at the Mulberry and Main Street intersections have already been replaced and they look great.

#### **COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use – Chairperson Purkey had no report, but he briefly discussed an Annexation that will be on the next council agenda.

Cemetery Committee – Chairperson J. McKay provided general updates.

City Revitalization Committee – Convener J. McKay had no report but the new Wilmington Public Library Director will be attending next meeting to introduce himself. J. McKay also requested a committee meeting to discuss requests from the Retained Hotel Lodging Fund.

Finance Committee – Chairperson Swindler had one item, a resolution authorizing the payment of expenses incurred in 2017. K. Swindler stated this is a piece of legislation that usually needs to be taken care of in the first quarter for the Auditor's office.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Resolution No. R-18-18 Authorizing payment of expenses incurred in prior fiscal year.  
All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by T. Williams to suspend the rules and regulations and give the second and third readings on the Resolution.

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by T. Williams to pass the Resolution 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 Resolution No. R-18-18 passed as read.

Judiciary Committee – Chairperson Purkey had six items on the agenda. M. Purkey stated in the committee meeting this evening they had discussed a few new pieces of legislation. M. Purkey spoke briefly about the Task Force, stating their public meetings

would be coming to an end next month and they would be working on compiling and sharing the information with Council.

M. Purkey introduced R-18-13, Authorizing the formation of a partnership with Clinton County to act as the official grantee for the FY 2018 Community Housing impact and preservation program, stating this partnership is renewed annually.

Motion by M. Purkey and seconded by M. Albright to suspend the rules and regulations and give the second and third readings on Resolution No. R-18-13. Authorizing the formation of a partnership with Clinton County to act as the official grantee for the FY 2018 Community Housing impact and preservation program and, declaring and emergency

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by M. Albright to pass the Resolution 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 Resolution No. R-18-13 passed as read.

M. Purkey introduced Ordinance O-18-24 and O-18-25, for their second and third readings. M. Purkey noted this legislation involves changing the permit fees from \$1 to \$25 for construction permit fees and from 2\$ to \$50 for hard surface or street openings. These fees now conform to the price charged by other municipalities. This change was spurred by the work Vectren has been working on, and changing the fee schedule will bring the process up to date. M. Purkey stated O-18-24 deals with the fee for construction permits.

Motion by M. Purkey and seconded by K. Swindler to suspend the rules and regulations and give the second and third readings on Ordinance No. O-18-24 Amending Section 903.02 Permit and Fee of Chapter 903 Sidewalk, curb, gutter and driveway apron construction of the Wilmington Codified Ordinances

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 M. Purkey and seconded by K. Swindler 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-18-24 passed as read.

M. Purkey introduced O-18-25 and stated it deals with the hard surface and street opening fee.

Motion by M. Purkey and seconded by K. Swindler to suspend the rules and regulations and give the second and third readings on Ordinance No. O-18-25 Amending Chapter 901 Street Openings of the Wilmington Codified Ordinances

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

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

Motion passes.

President of Council declared Ordinance No. O-18-25 passed as read.

M. Purkey introduced Ordinance O-18-28 for its second and third reading, noting this would eliminate the maximum age for new Police Department candidates.

Motion by M. Purkey and seconded by K. Fickert to suspend the rules and regulations and give the second and third readings on Ordinance No. O-18-28 Supplementing the Codified Ordinance of the City of Wilmington, Ohio by adding thereto Section 133.24 of the Codified Ordinance of the City of Wilmington, relative to the elimination of maximum age restriction for initial appointment of the position of Police Officer

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

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.

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

Motion passes.

President of Council declared Ordinance No. O-18-28 passed as read.

M. Purkey introduced O-18-29, and stated this is one of two pieces of legislation that will update the definition of "Clinic". There is one word that is changed; "and/or treatment of overnight patients."

Councilperson K. Swindler stated she would be abstaining from the vote due to her employment with CMH and their ownership of several clinics.

Motion by M. Purkey and seconded by J. McKay to give the first reading only on Ordinance No. O-18-29 Amending section 1131.20 Clinic of the Wilmington Codified Ordinances 6 yeas. 1 abstain (Swindler).

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a second and third reading be on the next agenda.

M. Purkey introduced O-18-30, and stated this adds "Clinic" to the list of allowed use in an industrial zone. M. Purkey stated there are already 6 clinics in the industrial zone, so this legislation will also put that right.

Motion by M. Purkey and seconded by M. Albright to give the first reading only on Ordinance No. O-18-30 Amending section 1157.021 Permitted uses of Chapter 1157 Industrial District Regulation of the Wilmington Codified Ordinances.

6 yeas. 1 abstain (Swindler).

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a second and third reading be on the next agenda.

Parks and Recreation Committee – Chairperson Liermann had no action items but spoke briefly about the survey for the future of the Castle Park is available online. Pitch Hit and Run will take place at 10am on Saturday and a Home Run Derby to follow. B. Liermann stated it had been postponed several times.

Safety/ Transportation Committee – Chairperson Liermann had one item, R-18-17, a contract with Washington Township contract for a 5 year extension of the Joint EMS and Fire services. B. Liermann stated that around 174 runs were made to Washington Township, and all trustees have already signed the contract.

Motion by B. Liermann and seconded by J. McKay to give the first reading only on Resolution No. R-18-17, Authorizing the Director of Public Safety to enter into an agreement with the Board of Trustees of Washington Township for the provision of Fire and Emergency Medical Service for the period July 1, 2018- June 30, 2023.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

B. Liermann asked that a second and third reading be on the next agenda.

B. Liermann stated April 8-14th was Communications Week, and he thanked all of the hardworking Dispatchers in the Police Department.

Solid Waste/Recycling – Chairperson Allbright had one item, a discussion on waste rates. M. Allbright thanked Superintendent M. Crow, Service and Safety Director B. Shidaker, and Service and Safety Coordinator A. Tacoronte for all of their hard work. M. Allbright introduced B. Shidaker and M. Crow to discuss the rates, stating this is a very conservative 5 year increase and there will not be a reading on any legislation this evening.

B. Shidaker stated that the revenue and expenses are a flat line currently but there will be a cost associated with protecting and expanding the landfill. B. Shidaker stated this increase is specific to the landfill expansion, and he clarified the increase has nothing to do with the recycling program. B. Shidaker also stated these are just projected estimates with the Phase 1 Expansion, that will give the city around 7 years of use. The expansion cost is around 2.15 million, and if we do not do anything with the current rates, which are \$14.86, they will not have the funds to expand. B. Shidaker stated the only way to pay for the expansion is to look at the current rate schedule.

B. Shidaker stated they will eventually exceed their revenue needed for the expansions, but also stated that when the landfill reaches the end of its life, it will cost around 2.2 million dollars to close it and no money has been put aside to do that. B. Shidaker stated starting a fund for the eventual closure of landfill will be helpful in the future to the City as well, and the closed landfill will still need to be monitored for 32 years. B. Shidaker stated the City will need to be proactive on that issue as well.

B. Shidaker stated this 5 year rate increase plan will put them in a position to expand and continue the existing services the landfill provides.

M. Allbright briefly discussed previous rates, and stated there is committee and administrative consensus about raising rates. M. Allbright also mentioned that the rates have not been adjusted in 9 years, and even with the change, the amount would still be comparable to other municipalities of Wilmington's size.

M. Crowe stated there are currently 146 customers who are outside of the city limits whose rates are too high for them to use the City trash pick-up, but if the rates are adjusted across the board, they may be able to get some of those accounts. B. Shidaker also agreed with M. Crowe, stating the rates for potential customers outside the city limits were astronomical, and bringing the rates down for those areas would bring in more revenue if the city could capture those customers.

K. Swindler inquired about the draft legislation, and asked if a lined through version was available, or due to the restructuring of the legislation, will there be a guide so Council can visually note the changes and increases for comparison. M. Allbright stated the changes were so confusing on the previous legislation, they have created an entirely new Ordinance, but M. Allbright stated he is working on a chart to simplify the comparison.

Purkey asked what the actual increase number would be, B. Shidaker stated it would be a 10.555% increase. M. Purkey stated no one likes a rate increase but when you look at the numbers, you have to increase the rates to fund the expansion project. M. Purkey stated the city is at a point now where if we don't expand the landfill, the other option would be to close it. M. Purkey said at this point we don't have the money for either option, but this rate increase is a smart plan and it's necessary to fund the much needed expansion.

M. Crowe stated the need is now at a critical level, and they are rapidly running out of airspace while they are working on the expansion. M. Purkey stated in the future they will also be reviewing rates annually and will modify them if needed.

Mayor Stanforth stated we know the landfill will eventually close, and the sooner money is put away to prepare for that, the less we will need to put away. Mayor Stanforth also

stated the future members of City Council and Wilmington's citizens will thank them for having the foresight to start saving the funds now.

M. Allbright requested a public hearing on the rate increase and first reading on the Ordinance to be on the next agenda.

M. McKay thanked everyone for a good discussion, and thanked everyone who had put the presentation and the legislation together. M. Allbright thanked Andrea Tacoronte for all her work.

Streets Committee – Chairperson Williams had one item, the third reading on the Downtown Wilmington Pedestrian Improvement Plan.

T. Williams stated going forward they will discuss cost and what will be feasible. M. Purkey stated they can also begin to look at grant funding for these projects now that a plan is in place.

Motion by T. Williams and seconded by K. Swindler to give the third reading on Resolution No. R-18-11 Adopting the Downtown Wilmington Pedestrian Improvement Plan.

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

Motion passes.

The Law Director read the Resolution by title only.

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

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

Motion passes.

President of Council declared Resolution No. R-18-11 passed as read.

Wastewater/Sewer Committee - Chairperson Fickert had no action items but stated there was a lengthy discussion on Stormwater in the committee meeting and in the near future they may create some advisory committees.

Water Committee – Chairperson Swindler had no report.

## REPORTS TO COUNCIL

A motion was made by J. McKay and seconded by M. Purkey to accept the Auditor Treasurer report.

Motion passed.

Report accepted as presented.

## OPEN TO PUBLIC

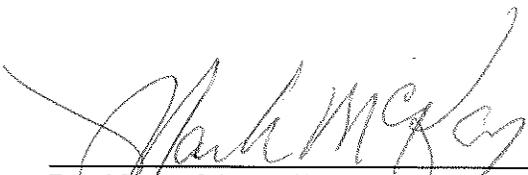
## ADJOURNMENT

A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:26 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk

Wilmington City Council met in regular session on Thursday, May 3<sup>rd</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, absent; Allbright, present; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, present.

Motion by B. Liermann and second by K. Fickert to excuse absent member (J. McKay.)

Sergeant Cravens present as Sergeant at Arms.

*Council participated in the Pledge of Allegiance and moment of silence. President McKay noted the National Day of Prayer.*

**PRESIDENT OF COUNCIL**

President M. McKay asked if there were any changes to the agenda. Clerk Miller noted agenda item 16b is for one reading. President McKay asked for a motion to approve the agenda as amended.

Motion by B. Liermann and seconded by M. Allbright to approve the agenda as amended.

Motion passed.

Agenda approved as amended.

President M. McKay asked if there were any changes or corrections to the minutes. Hearing none, he asked for a motion to approve the minutes as presented.

Motion by K. Swindler and seconded by M. Purkey to approve to minutes the April 19<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

President M. McKay presented a Notice to Legislative Authority for an address change for South Street Wine Cellar and noted it would be on file in the Mayor's Office.

**MAYOR**

Mayor Stanforth had two proclamations to present. The first proclamation was to the American Cancer Society and the Paint the Town Purple Event. Mayor Stanforth presented Dan Evers, Wilmington Port Authority Director, a proclamation for Economic Development Week, taking place May 7<sup>th</sup>-12<sup>th</sup>.

Mayor Stanforth updated council on various local events including the Farmer's Market taking place Saturday morning featuring a Chef, the Bike Rodeo at the park, the Garden Club's Annual plant sale will take place at the Historical Society. Stanforth stated Haden Sayers would be at the Murphy Theatre on Saturday evening and tickets are still available.

Stanforth gave a brief update on the street paving projects that are currently underway and stated the list of streets is available online. Stanforth stated Mike Albert and the Big E Band would be at the Murphy on Saturday the 12<sup>th</sup>, and Cantable choir would be performing on Sunday the 13<sup>th</sup>.

Stanforth reminded everyone about election day on May 8<sup>th</sup> and encouraged citizens to go vote. Mayor Stanforth stated the cemetery bridges would be repaired, but the repairs will be weather dependent.

Stanforth commented on the negative mail he had been receiving in regards Beth Ellis and the upcoming election. Stanforth also gave an update on his brother Rick's cross country bike ride.

## **AUDITOR**

Auditor -- Auditor Hollingsworth was present, but had no report. He noted he will be providing an interim report to council. He will not be present for next council meeting but he will get the report to council before.

## **SERVICE AND SAFETY DIRECTOR**

Safety/Service Director -- Director Shidaker had no report but requested to speak at the public hearing regarding the waste rate increase.

*President M. McKay opened the public hearing on the Waste Rate Increase at 7:46 p.m.*

Service Director Shidaker provided brief history of the landfill and intent to expand landfill. Shidaker stated he supports this increase 100% and hopes that everyone else will as well. He noted there currently is not money available to expand, but with an expansion, the landfill could have approximately forty years of "life" remaining. Shidaker reviewed the cost increase to residents, which would be 10%. Shidaker stated this is a long term plan and will not only pay for the expansion, but will also pay for the closure when that needs to happen in the future.

Shidaker presented Council with a chart highlighting the 5 year plan. Shidaker stated the current rate is \$14.86 and the 10% increase would put residential pick up at \$16.35. Shidaker reviewed the chart and Superintendent Crow also presented information to Council. Shidaker opened the floor to the Council and the public for questions.

Swindler stated making the decision to keep the landfill open or to close it still will leave them without the funds to do either. The City will not be able to keep doing the same thing they have been. Swindler stated there is just no option to staying where we currently are in regards to the rates.

Mayor Stanforth stated he felt the increase was responsible and the price is fair.

President M. McKay stated they have struggled with landfill decisions in the past and this plan has taken a lot of work with the goal of expanding and maintaining the landfill. M. McKay complimented Shidaker, M. Allbright, and M. Crowe on their work. B. Shidaker stated the workers at the landfill have done an incredible job. M. Allbright thanked Service and Safety Coordinator Andrea Tacoronte for everything she has done on this project.

Councilperson T. Williams requested Director Shidaker to re-emphasize that the rate increase is tied to the expansion. Director Shidaker confirmed the rates were not affiliated with recycling or with the new toters.

*President M. McKay declared the Public Hearing closed at 8:05 p.m.*

Director Shidaker did note that the street project is underway.

## **COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use -- Chairperson Purkey had one item. He introduced Ordinance No. O-18-31. Karen Buckley, legal representation for the property owner, was present. She noted there was no current request for tying in to the services yet. This is to annex for selling the property.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Ordinance No. O-18-31 Authorizing the Mayor to enter into an Annexation Agreement regarding certain territory located on SR 22/3 and owned by Michael J. and Janet M. Sepela pursuant to Ohio Revised Code §§709.022 and 709.192.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a second reading be on the next agenda.

Cemetery Committee -- Chairperson J. McKay was absent and there was no report.

City Revitalization Committee – Convener J. McKay was absent. T. Williams presented the DWCIC request. He introduced Randy Riley, the President of DWCIC. Mr. Riley presented DWCIC and explained how the city will look great for potential visitors, businesses, and citizens. The request is for flowers and flags.

K. Swindler noted she will abstain, as the flowers are often purchased through Swindler & Sons.

Motion by T. Williams and seconded by M. Albright to approve request. 5 yeas. 1 abstain. (K. Swindler)

Finance Committee – Chairperson Swindler had one item, a resolution authorizing the payment of expenses incurred in 2017. K. Swindler stated this is a piece of legislation that usually needs to be taken care of in the first quarter for the Auditor's office.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Resolution No. R-18-19 Authorizing payment of expenses incurred in prior fiscal year. All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by M. Purkey to suspend the rules and regulations and give the second and third readings on the Resolution.

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

Motion passes.

The Law Director read the Resolution by title only.

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

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

Motion passes.

President of Council declared Resolution No. R-18-19 passed as read.

Judiciary Committee – Chairperson Purkey had two items on the agenda. He noted the legislation was amended to a second reading only because of an abstention. M. Purkey summarized both pieces of legislation for the second readings.

M. Purkey introduced O-18-29. Councilperson K. Swindler noted again she would be abstaining from the vote due to her employment with CMH and their ownership of several clinics.

Motion by M. Purkey and seconded by K. Fickert to give the second reading on Ordinance No. O-18-29 Amending section 1131.20 Clinic of the Wilmington Codified Ordinances 5 yeas. 1 abstain (Swindler).

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a third reading be on the next agenda.

M. Purkey introduced O-18-30, and seeing no additional comments, moved for second reading.

Motion by M. Purkey and seconded by K. Fickert to give the second reading on Ordinance No. O-18-30 Amending section 1157.021 Permitted uses of Chapter 1157 Industrial District Regulation of the Wilmington Codified Ordinances.

5 yeas. 1 abstain (Swindler).

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a third reading be on the next agenda.

M. Purkey noted the last Zoning Task Force Meeting is next week. He also provided an idea to address the yard sales issue, noting a potential amnesty day for a community-wide yard sale.

Parks and Recreation Committee – Chairperson Liermann had no action but provided a few general announcements.

Safety/ Transportation Committee – Chairperson Liermann had one item, R-18-17, a contract with Washington Township contract for a 5 year extension of the Joint EMS and Fire services for second and third readings.

Motion by B. Liermann and seconded by K. Swindler to suspend the rules and regulations and give second and third reading on Resolution No. R-18-17, Authorizing the Director of Public Safety to enter into an agreement with the Board of Trustees of Washington Township for the provision of Fire and Emergency Medical Service for the period July 1, 2018- June 30, 2023.

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by K. Swindler to pass the Resolution as read.

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

Motion passes.

President of Council declared Resolution No. R-18-17 passed as read.

B. Liermann noted National Peace Officers Memorial Day was May 15<sup>th</sup>.

Solid Waste/Recycling – Chairperson Allbright had two items the first legislation for the Waste Rate increase.

Motion by M. Allbright and seconded by K. Swindler to give the first reading only on Ordinance No. O-18-32 Rescinding Codified Ordinance §925.24 and adopting new Codified Ordinance in Chapter 925 regarding classification and rates for refuse collections.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Allbright requested that a second and third reading of the Ordinance be on the next council agenda.

M. Allbright introduced O-18-33 for a first reading. Auditor Hollingsworth reviewed the existing notes, stating these were renewed each year. Hollingsworth stated these pertain to the expansion, and due to the short life of the landfill, they will be accelerating the existing payments to keep up and have it paid off in two years.

Motion by M. Allbright and seconded by K. Swindler to give the first reading only on Ordinance No. O-18-33, An Ordinance providing for the issuance and sale of notes in the maximum aggregate principal amount of \$250,000, in anticipation of the issuance of bonds, for the purpose of paying at maturity, together with other lawfully available city funds, the city's outstanding Landfill Facility Improvement Bond anticipation notes, and paying related lawful costs; appropriating \$250,000 from the Waste Fund; authorizing a purchase agreement and a registrar agreement; and declaring an emergency.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Allbright requested that a second and third reading of the Ordinance be on the next council agenda.

M. Allbright asked Superintendent M. Crowe about the occurrence of contamination with recycling program. Crowe stated the occurrences were low, but there still are a few people still putting trash beside the totes. M. Crowe also spoke about the types of

recyclables allowed. K. Fickert also stated she is grateful for the program and had questions about what can be recycled.

Streets Committee – Chairperson T. Williams had one item, Resolution No R-18-20 for the annual salt contract with ODOT for three readings. T. Williams spoke briefly about the amount of salt that will be ordered and the timeline of the legislation. Shidaker noted 120 tons will likely be purchased.

Motion by T. Williams and seconded by K. Swindler to give the first reading on Resolution No. R-18-20 A Resolution authorizing participation in the ODOT Winter Contract (018-19) for road salt; and declaring an emergency.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by T. Williams and seconded by B. Liermann to suspend the rules and regulations and give second and third reading on Resolution No. R-18-20 A Resolution authorizing participation in the ODOT Winter Contract (018-19) for road salt; and declaring an emergency.

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

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

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

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

Liermann, yes.

Motion passes.

President of Council declared Resolution No. R-18-20 passed as read.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had no action items but updated that the Fairground Tower maintenance is completed. She also mentioned the upcoming public hearing about the harmful algal bloom general plan for next council.

## REPORTS TO COUNCIL

A motion was made by M. Purkey and seconded by B. Liermann to accept the Income Tax Report and the Hotel Lodging Tax report.

Motion passed.

Report accepted as presented.

## OPEN TO PUBLIC

M. Purkey mentioned “summer hours” for council and reducing council meetings to once a month for June, July, and August. President McKay noted he is in favor as long as it’s feasible. K. Swindler liked the meeting change but wanted to ensure it would work for this year.

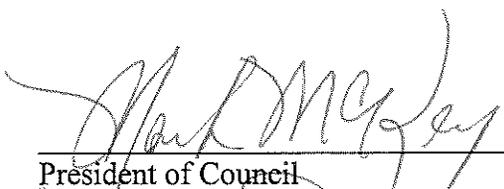
## ADJOURNMENT

A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:45 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk

Wilmington City Council met in regular session on Thursday, May 17<sup>th</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; Albright, present; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, absent.

Motion by J. McKay and second by B. Liermann to excuse the absent member (T. Williams).

Chief Weyand present as Sergeant at Arms.

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

**PRESIDENT OF COUNCIL**

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

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

Motion passed.

Agenda approved as presented.

President M. McKay asked if there were any changes or corrections to the minutes. M. Albright stated that on page 4, Mike Crowe's name is incorrectly spelled. No amendment of minutes is needed for a typo, but it is noted for correction.

Motion by K. Swindler and seconded by M. Purkey to approve to minutes the May 3<sup>rd</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

President McKay presented Sam Stratman to fill Council position on Clinton County Convention and Visitors Bureau. Motion by M. Purkey and second by B. Liermann to approve appointment. All yeas.

**MAYOR**

Amanda Harrison, President of local United Way, and Cheryl Roberts, Board President, provided summary of the work of United Way. UW funds thirty programs. Harrison provided information on how funds are dispersed and used. She also highlighted the 3-1-1 program.

Mayor Stanforth had one proclamation to present. Mayor Stanforth proclaimed May 13<sup>th</sup> through 19<sup>th</sup> Police Week.

Mayor Stanforth updated council on various local events including Wine Walk, Farmers Market, and the Little Hearts Big Smiles 5k this Saturday. Stanforth also noted B. Liermann and T. Williams have birthdays next week.

**AUDITOR**

Auditor – Auditor Hollingsworth was absent.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director– Director Shidaker summarized news article regarding the Caesars Creek O&M bill. He stated he is not going to present a supplemental request to council that he can't justify. He is still researching what is going on with the billing from the Army Corp of Engineers. He appreciates the understanding and support from council regarding this.

He noted the French Bridge is open and the second bridge could be open tomorrow but if not, the contractors will come in on Saturday. He will present to council soon for the supplemental for the street project.

President McKay opened the public hearing at 8:00 p.m. regarding the general plan for the harmful algal bloom. Superintendent Schaffer summarized the work completed to create several barriers to prevent the harmful algal bloom from getting into the finished drinking water. He listed repairs done to the intake at Caesar Creek Lake, repairs to the reservoirs, the installation of an ultrasonic device into the small reservoir, and adjustments to the carbon filtration system that all create additional barriers for the prevention of HAB reaching the finished water. Schaffer reiterated that the public hearing was a requirement of the Ohio Environmental Protection Agency, and asked for any questions from Council.

No questions were offered, and President McKay closed the public hearing at 8:09 p.m.

#### **COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use – Chairperson Purkey had one item. He introduced Ordinance No. O-18-31 for a second reading. He noted Karen Buckley, property owner’s legal representation, was also present.

Motion by M. Purkey and seconded by J. McKay to give the second reading only on Ordinance No. O-18-31 Authorizing the Mayor to enter into an Annexation Agreement regarding certain territory located on SR 22/3 and owned by Michael J. and Janet M. Sepela pursuant to Ohio Revised Code §§709.022 and 709.192.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a third reading be on the next agenda.

Cemetery Committee – Chairperson J. McKay also commented on the bridge being open.

City Revitalization Committee – Convener J. McKay introduced Joe Knueven, the new Wilmington Library Director. Director Knueven presented a short summary of his history and hopes for the future of the library, including fostering more external relationships throughout the community.

J. McKay introduced Retained Hotel Lodging Request from the Nowhere Else Music, Art, and Earth Foundation. J. McKay summarized the request for \$10,000 to provide tickets to the festival for veterans. J. McKay presented the rubric that the Committee used while scoring the request and introduced Linford Detweiler from Over the Rhine band to present to Council..

Mr. Detweiler reviewed the request and goals for the foundation and provided information and metrics on the Nowhere Else Festival, stating the event brings in Grammy Award winning musicians from around the country. Mr. Detweiler said their goal is to build a world class music and arts festival in Clinton County. Mr. Detweiler also mentioned that because there is no camping available at the site of the festival, they are utilizing area bed and breakfasts and hotels in the county for lodging for numerous out of state guests, and provided a spreadsheet with the attendees and where they were traveling from.

K. Swindler asked if the foundation was a non-profit, and if all the money from the festival was going to the foundation. Mr. Detweiler stated that the grant will go directly to the 503(c). Mr. Detweiler stated that not only would the City be investing in the festival to keep it going for the economic benefit of the community, they are doing something meaningful for area veterans.

B. Liermann stated he thought the project was a great idea.

M. Purkey inquired about the current balance of the Retained Hotel Lodging balance, Clerk M. Miller stated it is in the packet and the current balance before the previous

DWCIC request is fulfilled is \$76k, and she also clarified that the second quarter balance has not been added to the total.

K. Swindler stated she had a procedural question, and asked J. McKay if it was his intention when determining a rubric score for a RHLT request form, to still present it to full council and ask for Council opinion even after the Committee has made a scoring determination. J. McKay stated that the answer is yes and no, and said he wants the Committee to make the decisions, however if the Committee cannot come to a decision, then the matter will be brought before full Council.

K. Swindler inquired if there will be notice given before the request is brought to full Council, and she further stated that it's a consistent issue that there are detailed RHLT requests made, but these documents have not been available to the Council Members who are not on the not on the Committee. K. Swindler expressed frustration, stated it is mind blowing that they are asked to review large requests for funding and have not been given the adequate amount of time to do so when they only receive the paperwork at the beginning of a meeting. K. Swindler stated this has happened multiple times and procedurally, if full Council will be involved in decision making, they have to have the material available beforehand. J. McKay said that is correct, and stated this has happened twice, but on this occasion there was a time crunch. J. McKay stated in future, requests will not be presented to Council the night of the meeting. As Committee Chair, J. McKay apologized that this had happened on short notice again.

K. Swindler stated because there is no set process, it doesn't look good that Council is reviewing requests without adequate time to make educated decisions. K. Fickert also stated she did not have time to formulate her questions to ask the requestors. J. McKay stated as the request are made in the future, he will make sure Council has the information to review.

K. Swindler also stated that groups who are requesting the RHLT funds take a lot of time and effort putting together their proposals, and the least the Committee and Council can do is take them seriously.

Mayor Stanforth stated the request is a lot of money on the spur of the moment. M. Purkey stated it shouldn't be spur of the moment, but it was because of the current circumstances. Stanforth stated it doesn't change the facts.

K. Swindler stated her initial hesitation was based on the previous RHLT grant that was given for OTR and the Third Friday concert, and not creating the perception that one group is being favored. K. Swindler did state it's nice to know the fund balance. M. Purkey agreed with K. Swindler that knowing the current balance of the fund is helpful.

K. Swindler stated that every request that is being funded at this point has set a precedent for future requests, and because this request specifically is not one that is in the City limits, she inquired if the Committee had discussed how to deal with requests like this in the future. K. Swindler noted the County also collects its own Hotel Lodging Funds.

J. McKay stated that it was brought up, and the question was asked. K. Swindler asked what the determination was. J. McKay stated because there were only two Committee members present, so the request was brought to full Council for determination. Clerk M. Miller asked for permission to clarify, stating that the request from the Over the Rhine Foundation was for local veterans, which met the quality of life requirement on the rubric.

M. Purkey also clarified that even though the County does receive Hotel Lodging Funds, 99% of those are allocated to the CVB for their annual budget.

K. Swindler stated she wanted clarity for the next request that doesn't come from within the City. K. Swindler stated there need to be rules going forward outlining how the request needs to specifically apply to the City's Retained Hotel Lodging Funds, especially requests that don't have as clear of an impact as the one they are currently reviewing.

Mr. Detweiler asked to briefly speak to Mayor Stanforth's comment about the request for funding being "spur of the moment". Mr. Detweiler gave a brief history of his four year residence in Clinton County, including the purchase and restoration of their farm. Mr. Detweiler stated this to him, does not feel like a spur of the moment request.

Mayor Stanforth clarified that he was speaking to the limited time Council had been given to review the request, not to Mr. Detweiler's specific request for funding. Stanforth stated he was happy for Mr. Detweiler's presence at the meeting.

K. Swindler also reiterated her frustration is with Council because this request was received on April 13<sup>th</sup> and only just now being brought before them on May 17<sup>th</sup>. K. Swindler also stated she didn't want it to be misinterpreted as frustration with the Foundation.

K. Fickert asked Mr. Detweiler what the vetting process is for those who can receive the veteran's tickets. Mr. Detweiler stated with the help of Operation Cherrybend's Flight Deck Organization and other consultants they employ, they will steer candidates to the opportunity to attend. K. Fickert asked what would happen if they received more than 100 requests for the tickets, and Mr. Detweiler stated if they received the funding, they would work very hard to make sure that they fulfilled the additional requests if they went over the 100 tickets.

A motion was made by J. McKay and second by M. Allbright to accept the proposal from Nowhere Else Music, Art, and Earth Foundation.

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

Motion passes.

Nowhere Else Music, Art, and Earth Foundation request for \$10,000.00 is approved.

Finance Committee – Chairperson Swindler had one item, a supplemental request form from the General Fund to the Income Tax Fund the sum of \$35,000.00 for Income Tax Refunds.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-34 Making supplemental appropriations.

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 regulations and give the second and third readings on the Ordinance

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

Motion passes.

The Law Director read the Ordinance by title only.

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

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

Motion passes.

President of Council declared Ordinance No. O-18-34 passed as read.

Judiciary Committee – Chairperson Purkey had three items on the agenda.

M. Purkey introduced O-18-29. M. Purkey summarized the clinic zoning legislation again. Councilperson K. Swindler noted again she would be abstaining from the vote due to her employment with CMH and their ownership of several clinics.

Motion by M. Purkey and seconded by K. Fickert to give the third reading on Ordinance No. O-18-29 Amending section 1131.20 Clinic of the Wilmington Codified Ordinances 5 yeas. 1 abstain (Swindler).

Motion passes.

The Law Director read the Ordinance by title only.

President M. McKay noted he will pass on roll call.

Motion by M. Purkey and seconded by K. Fickert to pass the Ordinance as read.  
5 yeas. 1 abstain (K. Swindler).  
Motion passes.

President of Council declared Ordinance No. O-18-29 passed as read.

M. Purkey introduced O-18-30, and seeing no additional comments, moved for third reading.

Motion by M. Purkey and seconded by M. Albright to give the third reading on Ordinance No. O-18-30 Amending section 1157.021 Permitted uses of Chapter 1157 Industrial District Regulation of the Wilmington Codified Ordinances.  
5 yeas. 1 abstain (K. Swindler).  
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.  
5 yeas. 1 abstain (K. Swindler).  
Motion passes.

President of Council declared Ordinance No. O-18-30 passed as read.

M. Purkey introduced Ordinance O-18-35 Amending Section of Chapter 725 Home Sales of the Codified Ordinance of the City of Wilmington. M. Purkey stated this pertained to yard sales and garage sales, changing the responsibility for the permit from the Auditors office to the Service Director's Office. M. Purkey stated the Ordinance will also be removing the \$2 application fee and changing the permitted hours for sales to 7am-7pm.

Motion by M. Purkey and seconded by K. Swindler to give the first reading only on Ordinance O-18-35 Amending Section of Chapter 725 Home Sales of the Codified Ordinance of the City of Wilmington.  
All yeas.  
Motion passes.  
The Law Director read the Ordinance by title only.

M. Purkey asked that a second and third reading be on the next agenda.

Parks and Recreation Committee – Chairperson Liermann had no action but summarized park events and the castle playground replacement project. K. Fickert provided update on the new designs for the replacement.

Safety/ Transportation Committee – Chairperson Liermann had one item, R-18-21, accepting a grant for the Bullet Proof Vest Partnership for the Police Department.

Motion by B. Liermann and seconded by K. Fickert to give the first reading only on Resolution No. R-18-21, Authoring acceptance of grant funds from the Department of Justice for the Bullet Proof Vest Partnership  
All yeas.  
Motion passes.  
The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by K. Fickert to suspend the rules and regulations and give second and third reading on the Resolution.  
Roll call: Purkey, yes; Liermann, yes; Swindler, yes; J. McKay, yes; Albright, yes; Fickert, yes.  
Motion passes.  
The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by M. Purkey to pass the Resolution as read.  
Roll call: Liermann, yes; Swindler, yes; J. McKay, yes; Albright, yes; Fickert, yes; Purkey, yes;

Motion passes.

President of Council declared Resolution No. R-18-21 passed as read.

Solid Waste/Recycling – Chairperson Albright had two items, legislation for the Waste Rate increase and the Landfill Note Ordinance.

M. Albright introduced O-18-32, regarding the new Ordinance for the Waste Rate increase for a second and third reading.

Motion by M. Albright and seconded by J. McKay to suspend the rules and regulations and give second and third reading on Ordinance No. O-18-32 Rescinding Codified Ordinance §925.24 and adopting new Codified Ordinance in Chapter 925 regarding classification and rates for refuse collections.

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

Motion passes.

The Law Director read the Ordinance by title only.

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

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

Motion passes.

President of Council declared Ordinance No. O-18-32 passed as read.

M. Albright thanked everyone who worked on the Ordinance.

M. Albright introduced O-18-33 for a second and third reading, stating this ordinance will help pay off the existing landfill notes at a higher rate.

Motion by M. Albright and seconded by K. Fickert to suspend the rules and regulations and give second and third reading on Ordinance No. O-18-33, An Ordinance providing for the issuance and sale of notes in the maximum aggregate principal amount of \$250,000, in anticipation of the issuance of bonds, for the purpose of paying at maturity, together with other lawfully available city funds, the city's outstanding Landfill Facility Improvement Bond anticipation notes, and paying related lawful costs; appropriating \$250,000 from the Waste Fund; authorizing a purchase agreement and a registrar agreement; and declaring an emergency.

Roll call: 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 M. Albright and seconded by K. Fickert 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-18-33 passed as read.

President McKay noted Superintendent Crowe was present and thanked him for his work.

Streets Committee – Chairperson T. Williams was absent and no report was presented.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had no report.

## **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by M. Purkey to accept Auditor Treasurer Report.

Motion passed.  
Report accepted as presented.

**OPEN TO PUBLIC**

J. McKay thanked the city for the card and appreciated the thoughtfulness during the past few weeks. B. Liermann also thanked the acknowledgement and thoughts and support during this time for his family.

**ADJOURNMENT**

A motion was made by B. Liermann.  
President M. McKay declared meeting adjourned.  
Council adjourned at 9:05 p.m.

ATTEST:

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President of Council

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Clerk

## COUNCIL

July 19<sup>th</sup>, 2018

Wilmington City Council met in regular session on Thursday, July 19<sup>th</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 present as Sergeant at Arms.

*Council participated in the Pledge of Allegiance and moment of silence. President McKay noted the passing of Retired Firefighters Dick Clayton and Jay Wiswell.*

### PRESIDENT OF COUNCIL

President M. McKay asked if there were any changes to the agenda. There were none.

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

Agenda approved as presented.

President M. McKay asked if there were any changes or corrections to the minutes. Auditor Hollingsworth had an under his portion of the minutes pertaining to the YTD collected amount and the mention of the 1.5% increase should be corrected to be 0.5%.

Motion by M. Purkey and seconded by J. McKay to approve to minutes the June 7th minutes as amended.

Motion passed.

Minutes approved as presented.

General conversation about cancelling the next council meeting. Consensus from Council was to keep the meeting as scheduled.

### MAYOR

Mayor Stanforth highlighted local events, including Cotton Junky's 10th Anniversary on Saturday and the National Night Out for Police, Sheriff, and Fire Department taking place on August 2<sup>nd</sup> at the Park. Mayor Stanforth also praised the Police Department and Officer Hamilton who took it upon himself to help change an elderly woman's tire. The citizen also praised Dispatcher Curtis, who was reassuring during her ordeal.

Jesse Penwell was present to be sworn in as a new Police Officer. Mayor Stanforth facilitated the swearing in ceremony and Chief Weyand provided a short biography of Officer Penwell.

Mayor Stanforth commented on the upcoming celebration for Murphy Theatre's 100<sup>th</sup> anniversary and reviewed timeline of upcoming community events for the week. Stanforth introduced Dessie Rogers, Director of Chamber of Commerce and she introduced two of the Clinton Community Fellows. Ty Snarr and Bethany Brausch were present, noting Sydney McGee and Alison Dooley were unable to attend. Ms. Rogers summarized the projects the Fellows have been working on and stated on August 2nd the Fellows will officially present their completed projects and hold a public reception.

### AUDITOR

Auditor – Auditor Hollingsworth was present with no report.

### SERVICE AND SAFETY DIRECTOR

Safety/Service Director – Director Shidaker reported the city has put on 20 million pounds of asphalt since our last meeting.

## COMMITTEE REPORTS AND ACTION

Asset, Acquisition and Use – Councilperson M. Purkey had no report.

Cemetery Committee – Chairperson J. McKay had no report.

City Revitalization Committee – Councilperson J. McKay had no report.

Finance Committee – Chairperson Swindler had four items.

K. Swindler introduced O-18-42- Miscellaneous Transfers and noted the committee struck item “a” from the ordinance due to the need for more information. K. Swindler noted the transfers from “Recycling Grant Match” to “Dumpster Maintenance” the sum of \$2,500.00, from “Recycling Grant Match” to “Waste Collection Fuel” the sum of \$18,000.00, from “Supplies” to “Equipment Maintenance” the sum of \$5,500.00, from “Communication Salaries” to “Communication Education and Training” the sum of \$2,500.00, from “Motor Vehicle” to “Maintenance Contracts” the sum of \$2,500.00 and from “Water Tower Maintenance” to “Capital Equipment” the sum of \$4,600.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-41 Making miscellaneous transfers as amended, excluding item a. 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 regulations and give the second and third readings on the Ordinance

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

Motion passes.

President of Council declared Ordinance No. O-18-41 passed as read.

K. Swindler introduced O-18-42- Supplemental Appropriations from the “General Fund” to “Property Taxes” the sum of \$225.00, from the “General Fund” to 110.131.5410 “Auditor Incidentals” the sum of \$900.38, from the “Water System Revenue Fund” to “Facility Maintenance” the sum of \$5,100.00, from the “General Fund” to “Demolition Cost” the sum of \$100,000.00, and from the “General Fund” to “Recreation Fund Transfer” the sum of \$4525.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-42 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 regulations and give the second and third readings on the Ordinance

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

Motion passes.

President of Council declared Ordinance No. O-18-42 passed as read.

K. Swindler introduced O-18-43- Renaming a Fund- Water Bond Interest Fund and O-18-44 Water Bond Principal, noting they are both related to the 2017 Water Bond Issue. K. Swindler stated the funds were originally named as we anticipated they should be, but the titles now need to be adjusted to be more accurate.

K. Swindler stated the first Ordinance will rename "Water Bond Service Fund" to Water Bond Interest Fund".

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-43 Renaming a fund- Water Bond Interest Fund.

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 regulations and give the second and third readings on the Ordinance

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

Motion passes.

President of Council declared Ordinance No. O-18-43 passed as read.

K. Swindler introduced O-18-44- Renaming a Fund- Water Bond Principal Fund. This Ordinance renames "Water Project Fund" to "Water Bond Principal Fund."

Motion by K. Swindler and seconded by M. Purkey to give the first reading only on Ordinance No. O-18-44 Renaming a fund- Water Bond Principal 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 regulations and give the second and third readings on the Ordinance

Roll call: Williams, yes; J. McKay, yes; M. Allbright, 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 M. Purkey to pass the Ordinance as read.

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

Motion passes.

President of Council declared Ordinance No. O-18-44 passed as read.

Judiciary Committee – M. Purkey had no report but noted the completion of the Zoning Task Force and that will be coming to council soon.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Liermann had no report.

Solid Waste/Recycling – Chairperson Allbright had no report but noted there is an upcoming Solid Waste Committee meeting.

Streets Committee – Chairperson T. Williams had two pieces of legislation.

T. Williams introduced O-18-40 Authorizing participation in the Ohio Department of Transportation Cooperative Purchasing Program, and stated the city is involved in other

cooperative programs, and getting involved with the program will help them to get lower prices.

Motion by T. Williams and seconded by M. Albright to give the first reading only on Ordinance No. O-18-40 Authorizing participation in the Ohio Department of Transportation Cooperative Purchasing Program

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

T. Williams asked that a second and third reading be on the next council agenda.

T. Williams introduced R-18-23 Authorizing and directing the Director of Public Service to enter into contract with the lowest and best bidder for the Nelson Avenue Culvert Replacement Project and Authorizing Expenditure of funds for same, stating this is one of the many items in the supplemental appropriations of from the last meeting, so the money is appropriated, this will just allow the bidding to begin.

Motion by T. Williams and seconded by K. Swindler to give the first reading only on Resolution No. R-18-23 Authorizing and Directing the Director of Public Service to enter into contract with the lowest and best bidder for the Nelson Avenue Culvert Replacement Project and authorizing expenditure of funds for same.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by T. Williams and seconded by M. Purkey to suspend the rules and regulations and give the second and third readings on the Resolution

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

Motion passes.

The Law Director read the Resolution by title only.

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

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

Motion passes.

President of Council declared Resolution No. R-18-23 passed as read.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had four pieces of legislation.

K. Swindler introduced O-18-38- Backflow Amending Section 927.19 Backflow Prevention Devices of Chapter 927 Water Rules and Regulation of the Wilmington Codified Ordinances for a second and third reading, noting it was updating backflow regulations specific to a cistern and had been previously discussed at the last meeting.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give the second and third readings on Ordinance No. O-18-38, Amending Section 927.19 Backflow Prevention Devices of Chapter 927 Water Rules and Regulation of the Wilmington Codified Ordinances.

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

Motion passes.

The Law Director read the Ordinance by title only.

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

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

Motion passes.

President of Council declared Ordinance No. O-18-38 passed as read.

K. Swindler introduced O-18-39 Rescinding Codified Ordinance 927.27 and Adopting New Ordinances in Chapter 927 Regarding replacement of faulty service in the Water Department for a second and third reading, and stated it will add in additional language about replacing faulty lead pipes.

Motion by K. Swindler and seconded by M. Albright to suspend the rules and regulations and give the second and third readings on Ordinance No. O-18-39- Rescinding Codified Ordinance 927.27 and Adopting New Ordinances in Chapter 927 Regarding replacement of faulty service in the Water Department.

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

Motion passes.

The Law Director read the Ordinance by title only.

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

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

Motion passes.

President of Council declared Ordinance No. O-18-39 passed as read.

K. Swindler introduced R-18-24 Authorizing the Director of Public Service to apply for, accept, and enter into a Water Supply Revolving Loan Account (WSRLA) Agreement on behalf of the City of Wilmington for planning, design, and/or construction of Water Facilities; and designating a dedicated repayment source for the loan, and stated this essentially means the City would work with the Ohio EPA to help apply for loans. The initial loan amount is \$359,600.00 and this was discussed last year during the budgeting process. K. Swindler also stated this is just the first batch of loans, and it is not above and beyond what was discussed projected last year.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Resolution No. R-18-24 Authorizing the Director of Public Service to apply for, accept, and enter into a Water Supply Revolving Loan Account (WSRLA) Agreement on behalf of the City of Wilmington for planning, design, and/or construction of Water Facilities; and designating a dedicated repayment source for the loan.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by J. McKay to suspend the rules and regulations and give the second and third readings on the Resolution

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

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by J. McKay to pass the Resolution 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 Resolution No. R-18-24 passed as read.

K. Swindler introduced R-18-25- Authorizing the Director of Public Service to issue a request for proposals for integrated fixed- network advanced metering infrastructure (AMI) and customer information system (CIS) solution with Utility Billing and Customer Care Services, stating this pertains to the updating of City water meters to new self-reporting water meters and new cloud based information system. K. Swindler stated the new system would eliminate the need for traditional meter readers.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Resolution No. R-18-25 Authorizing the Director of Public Service to issue a request for proposals for integrated fixed- network advanced metering infrastructure (AMI) and customer information system (CIS) solution with Utility Billing and Customer Care Services.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by T. Williams to suspend the rules and regulations and give the second and third readings on the Resolution

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

Motion passes.

The Law Director read the Resolution by title only.

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

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

Motion passes.

President of Council declared Resolution No. R-18-25 passed as read.

#### **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by M. Allbright to accept Auditor/Treasurer Report, Income Tax Report, and Six Month Interest Statement/Interest Earned Report.

Motion passed.

Report accepted as presented.

#### **OPEN TO PUBLIC**

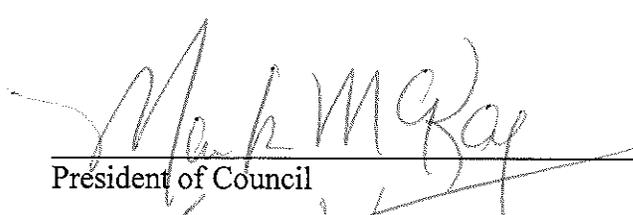
#### **ADJOURNMENT**

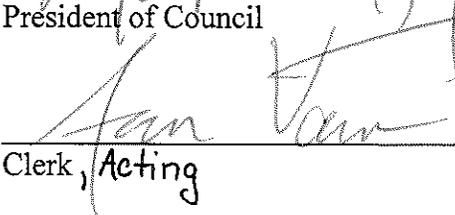
A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:27 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk, Acting

Wilmington City Council met in regular session on Thursday, September 6<sup>th</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; Albright, present; Fickert, present; Purkey, absent; Liermann, present; Swindler, present; Williams, present.

Motion by J. McKay and second by K. Fickert to excuse absent members. (M. Purkey)  
Absent member excused.

Chief Weyand was present as Sergeant at Arms.

*Council participated in the Pledge of Allegiance and moment of silence reflecting on the incident in Cincinnati and the recent fire that took place at Bennett Reality.*

**PRESIDENT OF COUNCIL**

President M. McKay asked if there were any changes to the agenda. There were none.

Motion by K. Swindler and seconded by B. Liermann to approve the agenda as presented.  
Motion passed.  
Agenda approved as presented.

Motion by K. Swindler and seconded J. McKay by to approve to minutes the August 16<sup>th</sup> minutes as presented.  
Motion passed.  
Minutes approved as presented.

President M. McKay notified council of an upcoming Public Hearing regarding a rezoning request for David's Drive. The public hearing will be October 18<sup>th</sup> in Council Chambers.

President M. McKay opened the public hearing for the 2019 Transit Grant at 7:35pm.

M. McKay introduced Transit Director Tony Morris who explained the grant, highlighting the need for new vans. T. Morris stated this is their standard annual grant.

*General discussion about the Transit Department operation and grant.*

President M. McKay declared the hearing closed at 7:42pm.

**MAYOR**

Mayor Stanforth stated the 41<sup>st</sup> Corn Festival would be opening on Friday and the parade would take place at 10am on Saturday morning. Stanforth also stated that the Farmer's Market would be moved to the Municipal Parking lot on Saturday, due to the parade. Mayor Stanforth noted that the 9/11 Ceremony would be taking place on Tuesday at 7:30am in the Municipal Parking lot. He also thanked the Fire Department and Police Officers for their work fighting the fire at the Bennett Reality. Stanforth stated that fire is the worst they have seen in a long time and it was a blessing that no one was hurt.

Stanforth stated the fall paving and curb work in the Southridge area will be starting soon. Stanforth also noted that Operation Cherrybend will be held on Saturday the 15<sup>th</sup> at the Murphy Theatre and Cardboard City will take place in the County Court House parking lot at 6pm.

**AUDITOR**

Auditor – Auditor Hollingsworth was present and had no report.

## **SERVICE AND SAFETY DIRECTOR**

Safety/Service Director– Director Shidaker updated Council on the Army Corps of Engineers upcoming meeting on October 22<sup>nd</sup> at Caesars Creek. B. Shidaker stated the fall paving would start at the end of the month and the Nelson Avenue Culvert Project Bids went well and they will move forward with the lowest bidder to the Board of Control for acceptance.

## **COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use– In M. Purkey’s absence, Councilperson B. Liermann had two pieces of legislation, both for a third reading, accepting easements for the Nelson culvert project.

B. Liermann introduced the first Ordinance, an easement from Xenia Pike Farm LLC for a third reading.

Motion by B. Liermann and seconded by K. Fickert to give the third reading on Ordinance No. O-18-47 Authorizing the acceptance of an Easement for drainage purposes from Xenia Pike Farm, LLC, as part of the Nelson Avenue Culvert Project.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by B. Liermann and seconded by J. McKay to pass the Ordinance as read.

All yeas.

Motion passes.

President of Council declared Ordinance No. O-18-47 passed as read.

B. Liermann introduced the second piece of legislation, an easement for the same project, from Dennis and Cheryl Gherman.

Motion by B. Liermann and seconded by K. Fickert to give the third reading on Ordinance No. O-18-48 Authorizing the acceptance of an Easement for drainage purposes from Dennis E. and Cheryl L. Gherman, as part of the Nelson Avenue Culvert Project.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by B. Liermann and seconded by K. Fickert to pass the Ordinance as read.

All yeas.

Motion passes.

President of Council declared Ordinance No. O-18-48 passed as read.

Cemetery Committee – Chairperson J. McKay had no report.

City Revitalization Committee – Councilperson J. McKay gave a brief update about the Corn Festival and Dancing with the Stars at the Murphy Theatre.

Finance Committee – Chairperson K. Swindler had 7 pieces of legislation, and thanked Administrative Assistant Annen Vance and Clerk M. Miller for their work revising and modernizing R-18-28 to allow her to sign the legislation as “Ms.” Swindler.

K. Swindler introduced R-18-27 for special assessments for lighting for 2019 for a second and third reading

Motion by K. Swindler and seconded by T. Williams to give the third reading on Resolution R-18-27 Declaring it necessary to light the streets, lanes, alleys, lands squares, and public places in the City of Wilmington, Ohio with electric lights and for Special Assessments to be levied to pay the cost hereof for the year 2019; and declaring an emergency.

All yeas.

Roll Call; 6 yeas, 1 absent. (M. Purkey) Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by T. Williams to pass the Resolution as read.  
Roll Call; 6 yeas, 1 absent. (M. Purkey)  
Motion passes.

President of Council declared Resolution No. R-18-27 passed as read.

K. Swindler introduced O-18-49 to establish a new fund for the Castle Park Project for a second and third reading.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give a second and third reading on Ordinance O-18-49 Establishing a New Fund (HB 529 (Castle Park) Fund).

All yeas.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Ordinance No. O-18-49 passed as read.

K. Swindler introduced R-18-28, authorizing and certifying the tax levies to the Clinton County Auditor, stating it is an annual resolution.

Motion by K. Swindler and seconded by M. Allbright to give a first reading only on Resolution No. R-18-28 Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by M. Allbright to suspend the rules and regulations and give a second and third reading on Resolution No. R-18-28 Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by M. Allbright to pass the Resolution as read.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Resolution No. R-18-28 passed as read.

K. Swindler introduced R-18-30, the annual resolution accepting local government assistance formulas provided by the Clinton County Auditor.

Motion by K. Swindler and seconded by T. Williams to give a first reading only on Resolution No. R-18-30 Accepting local government assistance formulas provided by the Clinton County Auditor.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by T. Williams to suspend the rules and regulations and give a second and third reading on Resolution No. R-18-30 Accepting local government assistance formulas provided by the Clinton County Auditor.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

The Law Director read the Resolution by title only.

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

Roll Call; 6 yeas, 1 absent. (M. Purkey)  
Motion passes.

President of Council declared Resolution No. R-18-30 passed as read.

K. Swindler introduced R-18-31, approving the annual special assessments for Utility Billing and Code Enforcement departments.

Motion by K. Swindler and seconded by M. Allbright to give a first reading only on Resolution No. R-18-31 Approving Special Assessments pursuant to Chapters 923.09, 929.03, 1701.10, and 1729.03 of the Codified Ordinance of the City of Wilmington, and declaring an emergency.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by M. Allbright to suspend the rules and regulations and give a second and third reading on Resolution No. R-18-31 Approving Special Assessments pursuant to Chapters 923.09, 929.03, 1701.10, and 1729.03 of the Codified Ordinance of the City of Wilmington, and declaring an emergency.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by M. Allbright to pass the Resolution as read.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Resolution No. R-18-31 passed as read.

K. Swindler introduced O-18-50 making miscellaneous transfers from "Probation Non-Capital Equipment" to "Probation Capital Equipment" the sum of \$9,000.00, from "Probation Incidentals" to "Probation Capital Equipment" the sum of \$3,750.00, from "Utilities" to "Vehicle Expense" the sum of \$9,000.00, from "Salt" to "Salt Shed" the sum of \$6,650.00 and from "Squad Salaries" to "Squad Capital" the sum of \$37,637.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-50 Making miscellaneous transfers.

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

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; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Ordinance No. O-18-50 passed as read.

K. Swindler introduced O-18-53 making supplemental appropriations from the "Sewer Fund" to "Direct Deductions" the sum of \$26.00, from the "Water Fund" to "Direct Deductions" the sum of \$60.00, and from the "General Fund" to "Admin Direct Deductions" the sum of \$2,500.00.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-53 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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

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; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Ordinance No. O-18-53 passed as read.

Judiciary Committee – Chairperson M. Purkey was absent and B. Liermann had no report.

Parks and Recreation Committee – Chairperson Liermann had one item, a grant agreement with ODNR for a third reading.

Motion by B. Liermann and seconded by K. Fickert to give a third reading on Resolution No. R-18-26 Authorizing the Director of Parks and Recreation to enter into a Community Recreation Project Pass through Grant Agreement with the Ohio Department of Natural Resources.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by B. Liermann and seconded by K. Fickert to pass the Resolution as read.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Resolution No. R-18-26 passed as read.

Safety/ Transportation Committee – Chairperson Liermann had one piece of legislation, three readings on the annual Transit Grant.

Motion by B. Liermann and seconded by J. McKay to give a first reading only on Resolution No. R-18-29 Authorizing the submittal of a proposal with the Ohio Department of Transportation for a grant through the U.S. Dot Federal Transit Administration (FTA), as authorized under Federal Transit Law, as Codified, 49 USC Section 5311, Financial Assistance for other than urbanized areas and funds available from the Ohio Public Transportation Grant Program and executing a contract with the Ohio Department of Transportation upon grant proposal acceptance.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by J. McKay to suspend the rules and regulations and give a second and third reading on Resolution No. R-18-29 Authorizing the submittal of a proposal with the Ohio Department of Transportation for a grant through the U.S. Dot Federal Transit Administration (FTA), as authorized under Federal Transit Law, as Codified, 49 USC Section 5311, Financial Assistance for other than urbanized areas and funds available from the Ohio Public Transportation Grant Program and executing a contract with the Ohio Department of Transportation upon grant proposal acceptance.

All yeas.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by J. McKay to pass the Resolution as read.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Resolution No. R-18-29 passed as read.

B. Liermann thanked the safety services response to the Bennett Realty fire.

Solid Waste/Recycling – Committee person J. McKay had no report.

Streets Committee – Chairperson T. Williams had no report.

Wastewater/Sewer Committee - Chairperson Fickert introduced O-18-45, regarding bringing Sewer Regulations into compliance with the EPA requirements, for a third reading.

Motion by K. Fickert and seconded by B. Liermann to give the third reading on Ordinance No. O-18-45 Amending Chapter 922 Sewer Regulation of the Codified Ordinances.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Fickert and seconded by B. Liermann to pass the Ordinance as read.

All yeas.

Motion passes.

President of Council declared Ordinance No. O-18-45 passed as read.

Water Committee – Chairperson Swindler had three pieces of legislation.

K. Swindler introduced O-18-51 Making supplemental appropriations from the “Water System Revenue Fund” to “Water Distribution Maintenance” the sum of \$29,000.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-51 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 regulations and give the second and third readings on the Ordinance

Roll Call; 6 yeas, 1 absent. (M. Purkey)

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; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Ordinance No. O-18-51 passed as read.

K. Swindler introduced O-18-52 Making miscellaneous transfers from “Architectural & Engineering” to “Equipment Maintenance” the sum of \$6,690.00 and from “Architectural & Engineering” to “Contractual Services” the sum of \$5,374.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-52 Making miscellaneous transfers.

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 regulations and give the second and third readings on the Ordinance

Roll Call; 6 yeas, 1 absent. (M. Purkey)

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; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Ordinance No. O-18-52 passed as read.

K. Swindler introduced R-18-32 authorizing the Director B. Shidaker to submit an application to the OPWC for State Capital Improvement and/or Local Transportation Improvement Programs.

Motion by K. Swindler and seconded by K. Fickert to give a first reading only on Resolution No. R-18-32 A Resolution authorizing the Director of Public Service to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as require.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give a second and third reading on Resolution No. R-18-32 A Resolution authorizing the Director of Public Service to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as require.

All yeas.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by K. Fickert to pass the Resolution as read.

Roll Call; 6 yeas, 1 absent. (M. Purkey)

Motion passes.

President of Council declared Resolution No. R-18-32 passed as read.

K. Swindler commended Superintendent R. Schaffer for his amount of work put towards the meeting with Army Corp of Engineers and reviewing eleven years' worth of data to prepare for the meeting. K. Swindler also prepared council for an upcoming finance request, noting the computer system is original to the plant and needs replaced. If it fails the plant would need to be run manually, like the previous issue at the sewer plant. She also commended the efforts to the continued commitment to providing clean drinking water.

## **REPORTS TO COUNCIL**

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

Motion passed.

Report accepted as presented.

## **OPEN TO PUBLIC**

B. Shidaker noted the water tower on Lowe's Drive was recently painted and restored and now is blue.

David Keys of Fife Avenue had concerns about noise on the city streets. Mr. Keys wants to know what is being done to regulate it. Chief Weyand noted they have patrolled the area but they haven't heard it and in order to cite a violation, they must hear the violation. Mr. Keys then asked about the noise ordinance for residential areas.

*General discussion on noise ordinances in the City limits.*

## **ADJOURNMENT**

A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:31 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk

Wilmington City Council met in regular session on Thursday, September 20<sup>th</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; Albright, present; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, present.

Chief Weyand was present as Sergeant at Arms.

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

**PRESIDENT OF COUNCIL**

President M. McKay asked if there were any changes to the agenda. President McKay noted an amendment for three readings on Resolution R-18-34.

Motion by K. Swindler and seconded by B. Liermann to approve the agenda as presented. Motion passed. Agenda approved as presented.

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

Motion by J. McKay and seconded M. Albright by to approve to minutes the September 6<sup>th</sup> minutes as presented. Motion passed. Minutes approved as presented.

**MAYOR**

Mayor Stanforth updated Council on historical markers and downtown events. Stanforth stated Dancing with the Stars will be Saturday at the Murphy Theatre and noted that Officer Pat Black is one of the contestants. Mayor Stanforth stated tickets are on sale for the Craft Beer Rally and Chili Cook-off hosted by Main Street Wilmington on October 13<sup>th</sup>.

Mayor Stanforth noted the work of Kevin Brown from Browns Funeral Home, Andrea Tacoronte, and Maria Burell from the Service and Safety Office in identifying a veteran for an indigent burial. Stanforth stated the Annual Volksmarch for veterans will be October 6<sup>th</sup> at Denver Park, Coffee with a Cop will be October 3<sup>rd</sup> at McDonalds, and the McDermott Village Neighborhood Watch Block Party will take place on October 6<sup>th</sup>. Stanforth also noted the completion of the Denver Williams Park stone entrance sign that was recently rehabbed.

**AUDITOR**

Auditor – Auditor Hollingsworth was absent.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director – Director Shidaker provided an introduction to the zoning update process and experience. He introduced Zachary Moore, who then summarized the updates and changes. M. Purkey noted the project will move to Judiciary next and only wants to keep it a month and then move it to full council. K. Swindler thanked the Task Force for their work in bringing this project forward. M. McKay commented this has been a great partnership between the citizens and government. M. Purkey thanked Taylor Stuckert and Zachary Moore for all their work and T. Stuckert thanked the Regional Planning Commission and the City of Wilmington for moving this forward.

B. Shidaker introduced R-18-34 dealing with stormwater. B. Shidaker explained the legislation, stating for some time the City has been using Wastewater funds for

stormwater expenses, and that is inappropriate. Shidaker stated other cities use a stormwater utility fee to offset the expenses, but the legislation he is introducing will not allow a fee to be charged, but allow him to enter into an agreement to do the mapping in preparation for a future fee.

Motion by K. Swindler and seconded by M. Purkey to give the first reading only on Resolution No. R-18-34 A Resolution in support of a Stormwater Partnership (SWP) Shared Revenue and Expense agreement between the City of Wilmington and Woolpert, INC. and to authorize the Director of Public Service to enter into an agreement with Woolpert.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

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

Roll Call; 7 yeas.

Motion passes.

The Law Director read the Resolution by title only.

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

Roll Call; 7 yeas.

Motion passes.

President of Council declared Resolution No. R-18-34 passed as read.

B. Shidaker updated Mulberry water main project. The main is likely 100 years old. The entire line needs replaced. Paving starts for fall paving next week. Lowe's Drive is likely to be micro surfaced next week. Nelson Ave Culvert will be delayed until the last week of March 2019 because of the delayed delivery of the culvert and we would be up against closing of the asphalt plants. K. Swindler asked if all the curb work is completed and B. Shidaker noted as of today, the curb work for this project is completed.

#### **COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use – Chairperson M. Purkey had one piece of legislation for a first reading and introduced R-18-33, regarding a land purchase for the Cemetery. B. Shidaker presented a map to show the proposed land purchase. M. Purkey noted the land use could be for additional plots. The land owner is selling it at the County Auditor's valuation.

Motion by M. Purkey and seconded by J. McKay to give the first reading on Resolution No. R-18-33 Authorizing the Director of Public Service to enter into a contract to purchase real estate for real property owned by Scott A. Kirchner (0.44 acres, more or less).

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a second and third reading be on the next agenda.

Cemetery Committee – Chairperson J. McKay had no report but thanked Scott Kirchner for his sale to the cemetery. He also stated he had provided a Cemetery tour to the Leadership Clinton group today.

City Revitalization Committee – Councilperson J. McKay noted the homecoming parade next week. He also noted the process for the Retained Hotel Lodging Tax was approved and would now be moved to Judiciary Committee.

Finance Committee – Chairperson K. Swindler had 3 pieces of legislation.

K. Swindler introduced O-18-54 wage increase. She noted this was budgeted for this year and is happy to fulfill this promise to the City employees.

Motion by K. Swindler and seconded by K. Fickert to give the first reading only on Ordinance No. O-18-54 Amending Ordinance No. 5177 to increase wages under the employee pay plan for calendar year 2019, and declaring an emergency.

All yeas.

Motion passes.  
The Law Director read the Ordinance by title only.  
Motion passes.

K. Swindler asked that a second and third reading be on the next agenda.

K. Swindler introduced O-18-55 making miscellaneous transfers from “Benefit Insurance” to “Utilities” the sum of \$7,500.00, from “Vehicle Contracts and Services” to “Other Materials and Supplies” the sum of \$2,500.00, and from “Vehicle Contracts and Services” to “Salaries-Drivers” the sum of \$25,000.00.

Motion by K. Swindler and seconded by M. Allbright to give the first reading only on Ordinance No. O-18-55 Making miscellaneous transfers.  
All yeas.  
Motion passes.  
The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by M. Allbright to suspend the rules and regulations and give the second and third readings on the Ordinance.  
Roll Call; 7 yeas.  
Motion passes.  
The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by M. Allbright to pass the Ordinance as read.  
Roll Call; 7 yeas.  
Motion passes.

President of Council declared Ordinance No. O-18-55 passed as read.

K. Swindler introduced O-18-56 making supplemental appropriations from the “Cemetery Fund” to “Property Acquisition” the sum of \$10,000.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-56 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 regulations and give the second and third readings on the Ordinance.  
Roll Call; 7 yeas.  
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; 7 yeas.  
Motion passes.

President of Council declared Ordinance No. O-18-56 passed as read.

Judiciary Committee – Chairperson M. Purkey had no report.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Liermann had no report.

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

Streets Committee – Chairperson T. Williams had no report.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had no report.

## **REPORTS TO COUNCIL**

A motion was made by M. Purkey and seconded by J. McKay to accept the Auditor  
Treasurer Report.

Motion passed.

Report accepted as presented.

**OPEN TO PUBLIC**

President McKay noted there would be a tree dedication for his late wife next Saturday.

**ADJOURNMENT**

A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:22 p.m.

ATTEST:



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President of Council

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Clerk

Wilmington City Council met in regular session on Thursday, October 4<sup>th</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, absent; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, present.  
Motion by J. McKay and second by B. Liermann to excuse absent member. (M. Allbright)

Chief Weyand was present as Sergeant at Arms.

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

**PRESIDENT OF COUNCIL**

President M. McKay asked if there were any changes to the agenda. K. Swindler made a motion to amend the agenda to add a discussion item under the Finance Committee, a streets project update. Seconded by M. Purkey.

Motion by K. Swindler and seconded by M. Purkey to approve the agenda as amended.  
Motion passed.

Agenda approved as amended.

President M. McKay asked if there were any changes to the minutes. Mayor Stanforth requested page two be amended from Mulberry Street repair to Walnut Street.

Motion by M. Purkey and seconded J. McKay by to approve to minutes the September 20<sup>th</sup> minutes as amended.

Motion passed.

Minutes approved as amended.

**MAYOR**

Mayor Stanforth provided community updates, including Craft Beer Rally and Chili Cook-off, the new kiosk for the Historical Building Walking Tour, the Volksmarch, and the Halloween Costume Party to benefit the Castle Park Project. Stanforth noted Trick or Treat Night will be Tuesday the 30<sup>th</sup> from 6-8pm. Stanforth also wished Kristi Fickert happy early birthday. Mayor Stanforth stated the fall paving projects are almost done. He explained the Lowe's Drive process, noting there were no complaints made to his office but that J. McKay stated he had received several complaints.

Stanforth complimented the turn out for Tammy McKay's tree dedication. He also thanked the Police Department and McDonald's for the Coffee with a Cop program that was very successful. The Mayor also discussed paving additional streets before the cost of asphalt goes up next year.

**AUDITOR**

Auditor – Auditor Hollingsworth was present. He noted the State Auditor Report didn't even receive comments on the report and it was the first time in 30 years. He thanked his staff and the city.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director – Director Shidaker discussed G-11 waiver to council, regarding the fire union negotiations. Motion by K. Swindler and second by J. McKay to authorize the Administration to sign the G-11 waiver. All yeas.

**COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use – Chairperson M. Purkey had two pieces of legislation to introduce.

M. Purkey introduced R-18-33, authorizing the purchase of real estate, noting discussion at the previous meeting.

Motion by M. Purkey and seconded by K. Swindler to suspend the rules and regulations and give a second and third reading on Resolution No. R-18-33 Authorizing the Director of Public Service to enter into a contract to purchase real estate for real property owned by Scott A. Kirchner (0.44 acres, more or less).

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by J. McKay to pass the Resolution as read.

Roll Call; 6 yeas. 1 absent.

Motion passes.

President of Council declared Resolution No. R-18-33 passed as read.

M. Purkey introduced R-18-35 authorizing the sale of a surplus police vehicle. The item is a 2014 Dodge Charger to be sold on GovDeals.

Motion by M. Purkey and seconded by B. Liermann to give the first reading by title only on Resolution No. R-18-35 Declaring surplus property, to wit: Police vehicle valued at more than \$1000, and authorizing the sale of such vehicle.

All yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to suspend the rules and regulations and give a second and third reading on the Resolution.

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the Resolution as read.

Roll Call; 6 yeas. 1 absent.

Motion passes.

President of Council declared Resolution No. R-18-35 passed as read.

Cemetery Committee – Chairperson J. McKay had no report

City Revitalization Committee – Councilperson J. McKay noted there are still Murphy Tickets available.

Finance Committee – Chairperson K. Swindler had 2 pieces of legislation.

K. Swindler introduced O-18-54, an employee wage increase ordinance for 2018 and 2019.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give a second and third reading on Ordinance No. O-18-54 Amending Ordinance No. 5177 to increase wages under the employee pay plan for calendar year 2019, and declaring an emergency.

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas. 1 absent.

Motion passes.

President of Council declared Ordinance No. O-18-55 passed as read.

K. Swindler introduced O-18-57 making miscellaneous transfers from “Benefit Insurance” to “Pensions” the sum of \$7,900.00, from “Benefit Insurance to 580.500.5124 “Medicare” the

sum of \$825.00, from "Jail and Workhouse" to "Incidentals" the sum of \$1,000.00, from "Jail and Workhouse" to "Maintenance Contracts" the sum of \$1,000.00, from "Investigation Fees" to "Maintenance Contracts" the sum of \$1,500.00, from "Vehicle Fuel" to "Maintenance Contracts" the sum of \$2,500.00, from 110.210.5111 "Communication Salaries" to "Communication Contracts" the sum of \$4,000.00, from "Fire Radio Maintenance" to "Fire Utilities" the sum of \$72.58, from "Fire Incidentals" to "Fire Utilities" the sum of \$1,468.14, and from "Fire Ed and Training" to "Fire Utilities" the sum of \$3,451.16.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-57 Making miscellaneous transfers.

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas. 1 absent.

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; 6 yeas. 1 absent.

Motion passes.

President of Council declared Ordinance No. O-18-57 passed as read.

B. Shidaker explained updates to street projects and pricing. He stated he would be getting with the Deputy Auditor to see if there will be additional funds available to expand the fall paving. M. Purkey asked what the cost savings would be continuing to pave this year versus next year. Both K. Swindler and Clerk M. Miller clarified the cost would not impact the carry-over amount significantly, but at this time the specific numbers would be hard to figure.

B. Shidaker stated there would be cost savings on not only the asphalt, but since the crew is already here, the city would save on mobilization. B. Shidaker also stated the urgency is due to the fact the crew is starting to wrap up. K. Swindler stated if the costs will be significant, Council needs to keep this in mind as they budget for next year. K. Swindler clarified the motion B. Shidaker was asking for would not move any funds, but would be a motion of support to expand the paving project and receive hard numbers on cost from the contractor.

Motion by K. Swindler, second by T. Williams authorizing B. Shidaker to explore expanding the paving project. All yeas.

Judiciary Committee – Chairperson M. Purkey introduced a conversation on the Retained Hotel Lodging Tax Requests, and asked if there were any additional edits. Clerk M. Miller stated there were a few, but they were very minor. Councilperson J. McKay summarized the process to council.

K. Swindler asked about the timeline of presentation of information. M. Purkey requested the edits be completed and have the legislation ready for a first reading at the next council meeting.

M. Purkey also gave a brief update on the zoning changes stating they are moving it along and there will be further discussion either in a special meeting or at full Council for edits.

Parks and Recreation Committee – Chairperson Liermann had no report but he asked K. Fickert for an update on Castle Park fundraising, she stated the deadline for completion of the project is next summer. K. Fickert stated around \$300,000 needs to be raised and their first fundraiser will be Saturday the 13<sup>th</sup> at the Eagles. She stated there will be a reverse raffle where they hope to raise \$10,000 and the estimated jackpot to the winner will be around \$2000.

Safety/ Transportation Committee – Chairperson Liermann had one piece of legislation and introduced R-18-36. Chief Weyand noted this is to update his record management software [ Computer Aided Dispatch], their current system was purchased in 1997 and is reaching the end of its life.

Motion by B. Liermann and seconded by K. Swindler to give the first reading by title only on Resolution No. R-18-36 Authorizing the Director of Public Safety to issue a request for proposal for computer aided dispatch, mobile, and records management system.

All yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by J. McKay to suspend the rules and regulations and give a first and second reading on the Resolution.

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by J. McKay to pass the Resolution as read.

Roll Call; 6 yeas. 1 absent.

Motion passes.

President of Council declared Resolution No. R-18-36 passed as read.

Solid Waste/Recycling Committee- Committeeperson J. McKay had no report.

Streets Committee – Chairperson T. Williams had no report.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had two pieces of legislation.

K. Swindler introduced O-18-58 making miscellaneous transfers from “Match-OPWC” to 605.350.5317 “Vehicle Fuel” the sum of \$1,100.00, from “Commercial Laboratory Fees” to “Lab Supplies” the sum of \$7,500.00 and from “Match-OPWC” to “Distribution Maintenance” the sum of \$14,000.00.

Motion by K. Swindler and seconded by M. Purkey to give the first reading only on Ordinance No. O-18-58 Making miscellaneous transfers.

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas. 1 absent.

Motion passes.

President of Council declared Ordinance No. O-18-58 passed as read.

K. Swindler introduced O-18-59 and reviewed a purchase intended for the supplemental appropriation. She noted there will be a transition from chlorine gas to liquid bleach for water treatment. It is an industry standard.

Motion by K. Swindler and seconded by K. Fickert to give the first reading only on Ordinance No. O-18-59 Making supplemental appropriations.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas. 1 absent.

Motion passes.

President of Council declared Ordinance No. O-18-59 passed as read.

## REPORTS TO COUNCIL

A motion was made by M. Purkey and seconded by J. McKay to accept the Income Tax Report.

Motion passed.

Report accepted as presented.

## OPEN TO PUBLIC

Mayor Stanforth read a statement from Paul Hunter who praised B. Shidaker as the Service and Safety Director. Stanforth also thanked M. Miller for all she does for the city.

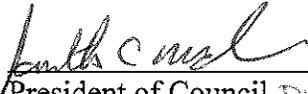
## ADJOURNMENT

A motion was made by M. Purkey

President M. McKay declared meeting adjourned.

Council adjourned at 8:48 p.m.

ATTEST:

  
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President of Council pro tem

  
\_\_\_\_\_  
Clerk

Wilmington City Council met in regular session on Thursday, October 18<sup>th</sup>, 2018, at 7:30 p.m.

**CALL TO ORDER**

Clerk Miller called the meeting to order and asked for a nomination for temporary President Pro Tem. Motion by M. Allbright and second by M. Purkey to nominate J. McKay as pro tem. 5 yeas. 1 abstain. (J. McKay)

**ROLL CALL**

Roll Call: J. McKay, present; Allbright, present; Fickert, present; Purkey, present; Liermann, present; Swindler, absent; Williams, present.  
Motion by M. Purkey and second by K. Fickert to excuse absent member. (K. Swindler).

Chief Weyand was present as Sergeant at Arms.

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

**PRESIDENT OF COUNCIL**

Temporary President Pro Tem McKay asked if there were any changes to the agenda. Mayor Stanforth requested an executive session at the end of the council meeting.

Motion by M. Purkey and seconded by B. Liermann to approve the agenda as amended.  
Motion passed.  
Agenda approved as amended.

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

Motion by M. Purkey and seconded B. Liermann by to approve to minutes the October 4<sup>th</sup> minutes as presented.  
Motion passed.  
Minutes approved as presented.

**MAYOR**

Mayor Stanforth highlighted various community events. He also reminded everyone that early voting is available. Stanforth also thanked Holly and Jarett Roush for hosting the Neighborhood Watch party in McDermott Village. He encouraged other neighborhoods to participate in the group as well. Mayor Stanforth congratulated Councilperson Kelsey Swindler on the birth of her son Cedric Arthur. Stanforth also noted former Safety Director Becky Rauch passed away. Mayor Stanforth noted leaf pickup would begin soon and reminded residents to not rake leaves into the street due to the storm sewers.

**AUDITOR**

Auditor -- Auditor Hollingsworth was absent.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director-- Director Shidaker noted the leaf pickup will begin November 1st. Rick Schaffer will attend a meeting next Monday with him to discuss with the Army Corp of Engineers and ODNR. B. Shidaker stated they have finalized the sale of the Rainbow Village property and also stated they are working on a pole barn for the cemetery to keep the mini excavator inside.

**COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use -- Chairperson M. Purkey had one piece of legislation to introduce. He provided a short history of the property.

Motion by M. Purkey and seconded by K. Fickert to give a first reading only on Ordinance No. O-18-60 An Ordinance accepting the Annexation of certain real property into the City of Wilmington.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by B. Liermann to suspend the rules and regulations and gave a second and third reading on the Ordinance.

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas. 1 absent.

Motion passes.

Temporary President Pro Tem declared Ordinance No. O-18-60 passed as read.

Cemetery Committee – Chairperson J. McKay had no report.

City Revitalization Committee – Councilperson J. McKay discussed community events.

Finance Committee – Committeeperson K. Fickert had two pieces of legislation.

K. Fickert introduced O-18-61 making miscellaneous transfers from “Recycling Grant Match” to “State and Local Fees” the sum of \$20,000.00, from “Recycling Grant Match” to 5410 “Incidentals” the sum of \$500.00, from “Recycling Grant Match” to “Recycling Expenses” the sum of \$2,000.00, from “Recycling Grant Match” “Landfill Vehicle Gas” the sum of \$4,000.00, and from “Traffic Lights” to “Vehicle Expense” the sum of \$5,000.00.

Motion by K. Fickert and seconded by T. Williams to give the first reading only on Ordinance No. O-18-61 Making miscellaneous transfers.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Fickert and seconded by T. Williams to suspend the rules and regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas. 1 absent.

Motion passes.

Temporary President Pro Tem declared Ordinance No. O-18-61 passed as read.

K. Fickert introduced O-18-62, making supplemental appropriations from the “Income Tax Credit Card Fund” to “Credit Card Fees” the sum of \$700.00, from the “General Fund” to “Incidentals” the sum of \$500.00, from the “RLF Fund” to “TinCap LLC RLF” the sum of \$50,000.00, from the “RLF Fund” to “39 N. South Street LLC” the sum of \$50,000.00, and from the “General Fund” to 110.121.5410 “Mayor’s Incidentals” the sum of \$10,000.00.

Motion by K. Fickert and seconded by T. Williams to give the first reading only on Ordinance No. O-18-62 Making supplemental appropriations.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Fickert and seconded by T. Williams to suspend the rules and regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas. 1 absent.

Motion passes.

Temporary President Pro Tem declared Ordinance No. O-18-62 passed as read.

Judiciary Committee- Chairperson Purkey had four pieces of legislation. M. Purkey introduced the amended Enterprise Zone Agreement and briefly explained Bright Farms is planning on expanding their operations. This amendment only adjusts the start of the existing agreement not a future expansion.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Resolution No. R-18-37 A Resolution authorizing an amended Enterprise Zone Agreement with OHI Greenhouse, LLC.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to suspend the rules and regulations and give the second and third readings on the Resolution

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the Resolution as read.

Roll Call; 6 yeas. 1 absent.

Motion passes.

Temporary President Pro Tem declared Resolution No. R-18-37 passed as read.

M. Purkey introduced a Resolution authorizing a Revolving Loan for TinCap LLC and Jason Vaughn.

Motion by M. Purkey and seconded by M. Allbright to give the first reading only on Resolution No. R-18-39 A Resolution authorizing a Revolving Loan Fund (UDAG) to TinCap, LLC and Jason Vaughan; and declaring an emergency.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by M. Allbright to suspend the rules and regulations and give the second and third readings on the Resolution

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by M. Allbright to pass the Resolution as read.

Roll Call; 6 yeas. 1 absent.

Motion passes.

Temporary President Pro Tem declared Resolution No. R-18-39 passed as read.

M. Purkey introduced a Resolution authorizing a Revolving Loan for 39 N. South Street LLC and John Schum.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Resolution No. R-18-40 A Resolution authorizing a Revolving Loan Fund (UDAG) to 39 N. South Street LLC and John Schum and Joann Schum; and declaring an emergency.

All yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to suspend the rules and regulations and give the second and third readings on the Resolution

Roll Call; 6 yeas. 1 absent.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the Resolution as read.  
Roll Call; 6 yeas. 1 absent.  
Motion passes.

Temporary President Pro Tem declared Resolution No. R-18-40 passed as read.

M. Purkey introduced a Resolution adopting the revised City Revitalization Grant Application. J. McKay thanked M. Miller for her work on bringing this project together.

Motion by M. Purkey and seconded by K. Fickert to give the first reading only on Resolution No. R-18-38 A Resolution adopting a Grant Application Guide for the City Revitalization Grant.  
All yeas.  
Motion passes.  
The Law Director read the Resolution by title only.

M. Purkey asked that a second and third reading be on the next meeting agenda.

M. Purkey noted Judiciary committee discussed the zoning legislation and announced a public hearing for the zoning updates on November 15, 2018.

Parks and Recreation Committee – Chairperson Liermann had no report but invited K. Fickert to update the council on fundraising efforts.

Safety/ Transportation Committee – Chairperson Liermann had no report but shared condolences with the passing of Becky Rauch.

Solid Waste/Recycling Committee- Committeeperson J. McKay had no report.

Streets Committee – Chairperson T. Williams had no report.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Committeeperson Fickert had no report.

## **REPORTS TO COUNCIL**

A motion was made by M. Purkey and seconded by M. Allbright to accept the Auditor Treasurer Report.  
Motion passed.  
Report accepted as presented.

## **OPEN TO PUBLIC**

Candidate for Commissioner McCarty spoke briefly about the upcoming election.

## **EXECUTIVE SESSION**

K. Fickert moved for an Executive Session seconded by M. Purkey.  
All yeas.  
Roll Call; 6 yeas, 1 absent.  
Executive Session began at 8:06 p.m.

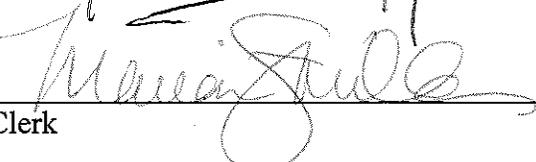
B. Liermann moved to exit Executive Session at 8:12 p.m., seconded by M. Purkey.

## **ADJOURNMENT**

A motion was made by B. Liermann.  
Temporary President Pro Tem J. McKay declared meeting adjourned.  
Council adjourned at 8:13 p.m.

ATTEST:

  
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President of Council

  
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Clerk

Wilmington City Council met in regular session on Thursday, November 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; Albright, present; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, present.

Chief Weyand was absent as Sergeant at Arms.

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

**PRESIDENT OF COUNCIL**

President M. McKay thanked Councilperson J. McKay for serving as temporary president pro tem.

President M. McKay asked if there were any changes to the agenda. M. Purkey noted under judiciary that the legislation is for second and third reading.

Motion by M. Albright and seconded by M. Purkey to approve the agenda as presented.

Motion passed.

Agenda approved as presented.

President M. McKay asked if there were any changes to the minutes. Michael Albright noted an error under his Solid Waste Committee.

Motion by M. Purkey and seconded J. McKay by to approve to minutes the October 18<sup>th</sup> minutes as amended.

Motion passed.

Minutes approved as amended.

Chief Weyand arrived at 7:36 p.m. as Sergeant at Arms.

**MAYOR**

Mayor Stanforth noted the success of the downtown community Halloween events. Stanforth stated McGuffey Lane will be at the Murphy on Saturday evening and a Veterans day tribute with Ohio Valley Brass and Electric will take place there on Sunday the 11<sup>th</sup>. Stanforth thanked all of the volunteers who turned out to help plant trees out on Lowes Drive, stating it was an impressive turnout at the last minute.

He noted the passing of Howard Lunsford Sr., the father of Howie Lunsford who is employed by the city. Stanforth expressed the extreme loss his passing brings to the community.

**AUDITOR**

Auditor – Auditor Hollingsworth was present but had no report.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director – Director Shidaker mentioned his most recent meeting with ODNR and how well it continues to go. He also noted this year's street paving projects had 40 million pounds of pavement or 2,800 African elephants. 2019's street project will include SR 134 and the repair of the railroad crossing. With that, he reminded council about the Hawley Ave crossing and how the railroad company reminded him that they have worked with him and they want something in return. He also noted the grant money the city could receive. He provided an update on the Champion Bridge repair. It takes longer with the use of federal funds. B. Shidaker also mentioned the upcoming replacement of water meters. B. Shidaker also stated the cemetery is requesting funds for a pole barn and could break ground as soon as next week. B. Shidaker also mentioned

the Building and Zoning Department has surpassed the previous records for permit fees this year, and those numbers speak to the shape of the current economy.

## **COMMITTEE REPORTS AND ACTION**

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

Cemetery Committee – Chairperson J. McKay had no report but mentioned the damaged fence. Service Director Shidaker also noted the Soldier's Point monuments have been sealed and the bill sent to the county commissioners. General updates provided regarding the cemetery.

City Revitalization Committee – Councilperson J. McKay provided community updates. He also thanked Nick Snelling for moving to the community and he noted Mr. Snelling cleaned up his new property but also cleaned up storm drains. J. McKay also noted the passing of Howard Lunsford.

Finance Committee – Chairperson K. Swindler had 2 pieces of legislation.

K. Swindler introduced O-18-63 making miscellaneous transfers "Temp Services" to "Incidentals" the sum of \$381.00, from "Muni Incidentals" to "Muni Equipment Maintenance" the sum of \$1,200.00, and from "Traffic Lights" to "Supplies" the sum of \$5,000.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-63 Making miscellaneous transfers.

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 7 yeas.

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; 7 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-63 passed as read.

K. Swindler introduced O-18-64 making supplemental appropriations from the "Cemetery Fund" to "Capital Improvements" the sum of \$30,000.00, from the "Water Fund" to "Equipment Maintenance" the sum of \$4,500.00, and from the "General Fund" to "Income Tax Refunds" the sum of \$25,000.00.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-64 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 regulations and give the second and third readings on the Ordinance.

Roll Call; 7 yeas.

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; 7 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-64 passed as read.

Judiciary Committee – Chairperson M. Purkey had one piece of legislation, second and third reading on R-18-38 adopting the revised City Revitalization Grant Application.

Motion by M. Purkey and seconded by J. McKay to suspend the rules and regulations and give the second and third reading only on Resolution No. R-18-38 A Resolution adopting a Grant Application Guide for the City Revitalization Grant.

Roll Call; 7 yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by J. McKay to pass the resolution as read.

Roll Call; 7 yeas

Motion passes.

President of Council declared Resolution No. R-18-38 passed as read.

He also reminded council of the public hearing regarding the zoning changes. Public Hearing will be held November 15 during city council.

Parks and Recreation Committee – Chairperson Liermann had no report. He asked K. Fickert to provide a fundraising update, noting a new website. K. Fickert noted the website accepts online donations. The website is [www.wilmingtonparks.com](http://www.wilmingtonparks.com).

Safety/ Transportation Committee – Chairperson Liermann had one piece of legislation and introduced R-18-41 declaring surplus vehicles from the Transit Department

Motion by B. Liermann and seconded by M. Allbright to give the first reading by title only on Resolution No. R-18-41 Declaring surplus property, to wit: Transit vehicles valued at more than \$1000, and authorizing the sale of said vehicles.

All yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by M. Allbright to suspend the rules and regulations and give a first and second reading on the Resolution.

Roll Call; 7 yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by J. McKay to pass the Resolution as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Resolution No. R-18-36 passed as read.

Solid Waste/Recycling Committee- Committeeperson M. Allbright had no report.

Streets Committee – Chairperson T. Williams had no report.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had no legislation but announced upcoming meeting to discuss water metering.

## **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by K. Swindler to accept the Income Tax Report.

Motion passed.

Report accepted as presented.

## **OPEN TO PUBLIC**

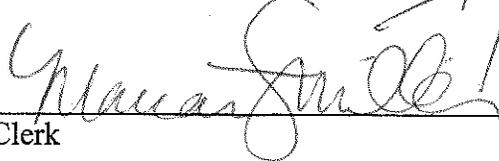
Councilperson T. Williams introduced members of the Youth Collaborative Program.

**ADJOURNMENT**

A motion was made by B. Liermann.  
President M. McKay declared meeting adjourned.  
Council adjourned at 8:04 p.m.

ATTEST:

  
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President of Council

  
\_\_\_\_\_  
Clerk

## **COUNCIL**

November 15<sup>th</sup>, 2018

Wilmington City Council met in regular session on Thursday, November 15<sup>th</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, absent; Purkey, present; Liermann, present; Swindler, present; Williams, present. Motion by K. Swindler and second by B. Liermann to excuse the absent member. (Fickert)

Chief Weyand was present as Sergeant at Arms.

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

### **PRESIDENT OF COUNCIL**

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

Motion by K. Swindler and seconded by J. McKay to approve the agenda as presented.

Motion passed.

Agenda approved as presented.

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

Motion by K. Swindler and seconded J. McKay by to approve to minutes the November 1<sup>st</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

Public Hearing opened at 7:34 p.m.

M. Purkey summarized the zoning project. He thanked Warren County for the assistance and opened the floor to any Councilmember with a question. K. Swindler asked about tracked changes in the draft copy. M. Purkey stated no changes were made after acceptance by the Judiciary Committee. The changes came from the Zoning Update Committee and the Regional Planning Commission, not the Judiciary Committee. General conversation regarding zoning code and council expressed gratitude for all who contributed to the project.

Steve Sawzin, 43 Fulton Street, addressed council and provided a letter to council. (Exhibit A). He expressed concern and asked council to review the letter and consider his proposals.

Brett Dixon, 193 Mitchell Road, expressed that he had read through the zoning code and has had communication with the Zoning group. He's concerned about the zoning for businesses and sees conflicts. He appreciates that some of his concerns have already been included in the zoning code but wants continued review and response.

Public hearing closes at 7:52 p.m.

President McKay presented Clinton County Convention and Visitors Bureau's nominees for the board, Matt Wahrhaftig and Marty Beaugard. A motion was made by J. McKay and seconded by M. Purkey to accept nominations.

### **MAYOR**

Mayor Stanforth provided certificate to Lt. Ed Myers for his service to the Wilmington City Fire Department. Chief Andy Mason also provided a plaque for appreciation. Mayor Stanforth noted Laney Cakes Bakery is now open and Hometown Holidazzle and "Small Business Saturday" will take place on November 24. Stanforth stated the Murphy Theatre Christmas show tickets are currently on sale and noted they had finished tree planting on Mulberry Street at the new parking lot. Stanforth stated they planted 11 trees; oaks, maples, and cedars.

Mayor Stanforth stated he had received a tour of Ancient Roots, the new medical marijuana grow facility, he noted they would start operations as soon as they receive the go ahead from the state. Stanforth said was happy to see the large turnout for the Veterans Day Ceremony. He also thanked street crew for their work cleaning up after the ice storm. Finally, Stanforth spoke briefly about the great news from Amazon. General comments from Council of gratitude and thanks to Dan Evers and the Port Authority.

## **AUDITOR**

Auditor – Auditor Hollingsworth was absent.

## **SERVICE AND SAFETY DIRECTOR**

Safety/Service Director– Director Shidaker stated the ice storm was a challenge due to all of the falling trees, but currently almost all of the streets have debris cleared and are now open. B. Shidaker also stated the Cemetery had to be closed due to unsafe conditions, but the clean-up will begin as soon as possible. B. Shidaker thanked the Streets, Water, and Wastewater Departments who were all hands on deck for the clean-up efforts, and also thanked the Police Department.

## **COMMITTEE REPORTS AND ACTION**

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

Cemetery Committee – Chairperson J. McKay had no report. He reiterated what Director Shidaker stated previously asking the public to avoid the cemetery at this time.

City Revitalization Committee – Councilperson J. McKay summarized local events, and noted several grand openings that had recently occurred.

Finance Committee – Chairperson K. Swindler had 2 pieces of legislation.

K. Swindler introduced O-18-65 making supplemental appropriations from the “General Fund” to “Transfer to Taxi” the sum of \$80,000.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-65 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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas, 1 absent.

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; 6 yeas, 1 absent.

Motion passes.

President of Council declared Ordinance No. O-18-65 passed as read.

K. Swindler introduced O-18-66 making miscellaneous transfers from “Acting Clerk” to “Acting Judge” the sum of \$2,200.00, from “Acting Clerk” to “Benefit Insurance” the sum of \$2,800.00, from “Workers Comp” to “Benefit Insurance” the sum of \$1,498.00, from “Municipal Deputy Clerk” to “Benefit Insurance” the sum of \$16,000.00, from “Municipal Deputy Clerk” to “Probation Salary” the sum of \$8,000.00, from “Incidentals” to “Supplies” the sum of \$2,000.00, and from “Recycling Grant Match” to “Waste Landfill Monitoring” the sum of \$7,000.00.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-64 Making miscellaneous transfers.

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas, 1 absent.

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; 6 yeas, 1 absent.

Motion passes.

President of Council declared Ordinance No. O-18-66 passed as read.

Judiciary Committee – Chairperson M. Purkey had two pieces of legislation, the first readings on the updated Zoning Code and Zoning Map. M. Purkey summarized the changes, noting the recent input from the public hearing.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Ordinance No. O-18-67 Changing the zoning of Real Property located in the City of Wilmington Ohio.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that second reading be on the next council agenda.

Motion by M. Purkey and seconded by M. Allbright to give the first reading only on Ordinance No. O-18-68 Rescinding Chapters 1129 and 1131-1169 of Part Eleven- Planning and Zoning Code of the Wilmington Codified Ordinances; and adopting an updated Zoning Code.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that second reading be on the next council agenda.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Liermann had no report

Solid Waste/Recycling Committee- Chairperson M. Allbright summarized the Special Solid Waste Committee meeting, stating they reviewed the budget, as well as the holiday schedule for employees.

Streets Committee – Chairperson T. Williams summarized the Special Street Committee meeting, stating they discussed the M & R budget and the Cemetery roads.

Wastewater/Sewer Committee - Chairperson Fickert was absent and there was no report. Clerk Miller noted the upcoming Special Wastewater Committee on December 6th.

Water Committee – Chairperson Swindler had no report.

## **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by M. Purkey to accept the Auditor Treasurer Report and the Retained Hotel Lodging 3<sup>rd</sup> Quarter Report.

Motion passed.

Reports accepted as presented.

## **OPEN TO PUBLIC**

J. McKay noted the availability of funds from the Retained Hotel Lodgings Tax revenue.

**EXECUTIVE SESSION**

Motion by K. Swindler to move into executive session pursuant to RC 121.22(G)3.  
Second J. McKay. Roll call completed. All yeas. 8:20 p.m.

Motion to exit executive session by M. Purkey and B. Liermann to exit executive session. Roll call complete. Exit at 8:58 p.m.

**ADJOURNMENT**

A motion was made by M. Purkey.  
President M. McKay declared meeting adjourned.  
Council adjourned at 8:58 p.m.

ATTEST:

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

  
\_\_\_\_\_  
Clerk

To: the Zoning Task Force

November 8, 2017

From: Stephen Sawzin  
43 Fulton Street  
Wilmington, Ohio 45177

Subject: Zoning Management Rules

To me the need for change is the Zoning Management Rules. The Rules under which zoning is managed and directed. Below are some of the rules I feel need changing based on what I have learned by observing past zoning actions.

1. Zoning should not change existing use of property. If a house is on the property that property should be zoned residential. Any change to the zoning of that property should not be done unless expressly requested by the current owner of the property.
2. The city should not change the zoning of existing property unless approved by the property owner. The city should not change zoning of a property for general city planning purposes. The city needs to petition the zoning commission for the change, present the reason for change, provide overriding evidence and logic that the change will benefit both the current property owner and the community as a whole. There must be a current development proposal that warrants the need for a change in a property zone. Any blanket change in areas of the city to a different zone must be approved by the property owner. Current property owners must unanimously approve the change if the change is within a block or group area.
3. All property owners must obtain (be given) an affidavit from the city identifying the zone in which that property resides.
4. City planning proposals to change current property zones cannot be used to change property zones unless the city plan is actually implemented by an actual development change to that property and must follow the actions in Items 1 and 2.

Sincerely,



Stephen A. Sawzin

11-15-2018

Ex-A

Wilmington City Council met in regular session on Thursday, December 6<sup>th</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 as Sergeant at Arms. [Arrived at 7:36]

*Council participated in the Pledge of Allegiance and moment of silence. President McKay made comments in regard to honoring [Former US President George H. W. Bush] a good man.*

**PRESIDENT OF COUNCIL**

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

Motion by K. Swindler and seconded by J. McKay to approve the agenda as presented. Motion passed.

Agenda approved as presented.

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

Motion by J. McKay and seconded M. Allbright by to approve to minutes the November 15<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

*President McKay opened the Public Hearing at 7:33 p.m.*

Councilperson Purkey summarized the need for the public hearing. M. Purkey stated the zoning change is for the Christian Academy, as they are preparing for an expansion. The zoning change is needed in this case so they can obtain the funding. M. Purkey also stated that time is of the essence and they will be grandfathered into the new zoning changes. K. Swindler asked a few clarifying questions about the property. M. Purkey asked for council approval to do three readings and as an emergency.

*President McKay closed to Public hearing closes at 7:36 p.m.*

**MAYOR**

Mayor Stanforth introduced Boy Scout Joe Daugherty to council. He summarized local events and ribbon cuttings, noting that Energize Clinton County will be celebrating 10 years with an open house on December 19<sup>th</sup>. Stanforth also commented on his recent presentation to a local Girls Scout Troop. Stanforth noted the passing of a dear friend, Waldo Fannin, and the passing of Auditor Hollingsworth's mother. Mayor Stanforth commented on a silver maple that was lost in the cemetery that was 161 years old, from 1857.

**AUDITOR**

Auditor – Auditor Hollingsworth was absent.

**SERVICE AND SAFETY DIRECTOR**

Safety/Service Director – Director Shidaker summarized permission for easement use with DP&L. Motion by K. Swindler and second by B. Liermann to give Service Director authorization to the County for property access on leased property. All yeas.

## **COMMITTEE REPORTS AND ACTION**

Asset, Acquisition and Use – Chairperson M. Purkey had two pieces of legislation. He introduced both pieces to council and asked for any questions. Seeing none, he presented.

Motion by M. Purkey and seconded by J. McKay to give the first reading only on Ordinance No. O-18-73 Changing the zoning of real property located on Davids Drive in the City of Wilmington, Ohio and declaring an emergency  
All yeas.

Motion passes.

The Law Director read the Ordinance 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.

Roll Call; 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.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-73 passed as read.

Motion by M. Purkey and seconded by K. Fickert to give the first reading only on Ordinance No. O-18-74 Changing the zoning of real property located on Davids Drive in the City of Wilmington, Ohio and declaring an emergency (RSJ Real Estate, L.L.C.)

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by K. Fickert to suspend the rules and regulations and give the second and third readings on the Ordinance.

Roll Call; 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.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-74 passed as read.

Cemetery Committee – Chairperson J. McKay had no report but provided update on trees in the cemetery and thanked the Street Department.

City Revitalization Committee – Councilperson J. McKay summarized previous meeting regarding the request for the park. He also summarized local events, including the city being on the list for a national award. He encouraged people to take photos and list #mywilmington on social media.

Finance Committee – Chairperson K. Swindler had 3 pieces of legislation.

K. Swindler introduced O-18-69 making miscellaneous transfers from “Auditor Benefit Insurance” to “Admin Benefit Insurance” the sum of \$3,100.00, from “Auditor Benefit Insurance” to “Income Tax Benefit Insurance” the sum of \$3,100.00, from “Auditor Benefit Insurance” to “Treasurer Benefit Insurance” the sum of \$500.00, from “Safety Benefit Insurance” to “Director of Law Benefit Insurance” the sum of \$4,000.00, from “Taxi Capital Vehicle” to “Taxi Benefit Insurance” the sum of \$7,100.00, from “Sewer Rehab” to “Sewer Benefit Insurance” the sum of \$4,000.00, from “Jail and Workhouse” to “Police Benefit Insurance” the sum of \$6,000.00, from “Firearms & Ammo” to “Police Benefit Insurance” the sum of \$1,000.00, from “Equipment Parts and Supplies” to “Police Benefit Insurance” the sum of \$400.00, from “Uniforms” to “Police Benefit Insurance” the sum of \$2,700.00, from “Vehicle Fuel” to “Police Benefit Insurance” the sum of \$3,000.00, from “Subscriptions, Publications” to “Police Benefit Insurance” the sum of \$1,000.00, from

“Capital Vehicle” to “Salaries – Drivers” the sum of \$22,000.00, from “Property/Casualty” to “Salaries – Dispatch/Maintenance” the sum of \$3,000.00, from “Admin Salaries” to “Director of Law Salaries” the sum of \$6,600.00, from “Special Project Workers Comp” to “Special Project Salaries” the sum of \$1,300.00, and from “Fire Benefit Insurance” “Fire Salaries” the sum of \$10,000.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-69 Making miscellaneous transfers .

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 7 yeas.

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; 7 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-69 passed as read.

K. Swindler introduced O-18-70 making supplemental appropriations from the “Hotel Lodging Tax Fund” to 291.110.5269 “Convention and Visitor’s Bureau” the sum of \$18,086.75, from the “General Fund” to “Hotel Lodging Tax Transfer” the sum of \$18,086.75, from the “General Fund” to “Retained Hotel Lodging Tax Transfer” the sum of \$17,905.38, from the “Taxi Fund” to “Salaries – Administration” the sum of \$6,000.00, from the “Taxi Fund” to “Pensions” the sum of \$6,150.00, from the “Taxi Fund” to “Medicare” the sum of \$625.00, from the “Taxi Fund” to “Vehicle Contracts and Supplies” the sum of \$2,000.00, from the “Taxi Fund” to “Vehicle Fuel” the sum of \$25,000.00, from the “Taxi Fund” to “Other Materials and Supplies” the sum of \$1,500.00, from the “Taxi Fund” to “Uniforms” the sum of \$1,000.00, and from the “Retained Hotel Lodging Tax Fund” to “RHLT Grants” the sum of \$17,905.38.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-70 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 regulations and give the second and third readings on the Ordinance.

Roll Call; 7 yeas.

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; 7 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-70 passed as read.

Mayor Stanforth thanked all who helped with this budget, including the departments who contributed to budget cuts. He noted he is very proud of this budget. K. Swindler summarized previous committee and council meetings that reviewed the budget.

B. Shidaker summarized budget changes to the street paving amount, stating they actually did more paving this year and it extended the budget. He did state the extra paving put them ahead of schedule for 2019, and he also stated the Rombach project will be very large. B. Shidaker also stated they are looking into every funding option including grants, so they will be prepared for 2020. Street paving funding has been decreased so they will be able to put more funding into the engineering aspect of the upcoming project.

President McKay commented on how the budget process has improved and thanked all involved. K. Swindler thanked the committees for their work approving their enterprise fund budgets and the superintendents for their budget presentations.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-75 Making appropriations for current expenses and other expenses and other expenditures of the City of Wilmington, Ohio during the fiscal year ending December 31, 2019.

Roll Call: 7 yeas.

Motion passes.

The Law Director read the Ordinance by title only.

K. Swindler asked that a second and third reading be on the next council agenda.

President McKay commended Councilperson Swindler for her skill as Finance Chair.

Judiciary Committee – Chairperson M. Purkey had four pieces of legislation, the first readings on the updated Zoning Code and Zoning Map. M. Purkey summarized the changes, noting the recent input from the public hearing.

Taylor Stuckert, from the Regional Planning Commission, highlighted some of the most recent code changes and clarifications, including parking stall size, ground signs and pole signs, number of signs permitted on a lot, exemptions for accessory uses, a map change for Prairie Creek Crossing, and other miscellaneous updates regarding development and use standards. T. Stuckert stated that this is a living document and he wants to make sure we are continually updating as we move along. M. Purkey thanked T. Stuckert for the updates. K. Swindler had a clarifying question about lot use and site plans.

Brett Dixon- 193 Mitchell Road. Mr. Dixon thanked Taylor Stuckert. He noted he had personal interest and professional interest, and spoke generally about different zoning changes.

Steve Sawzin- 43 Fulton Street. Mr. Sawzin provided a letter to council. (Exhibit A) He spoke briefly about his concerns about developments near residential properties. He stressed that his intention is to make sure residents are informed of potential zoning changes. M. Purkey thanked Mr. Sawzin for his input.

Motion by M. Purkey and seconded by B. Liermann to give the second reading only on Ordinance No. O-18-67 Changing the zoning of Real Property located in the City of Wilmington Ohio.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that third reading be on the next council agenda.

Motion by M. Purkey and seconded by J. McKay to give the second reading only on Ordinance No. O-18-68 Rescinding Chapters 1129 and 1131-1169 of Part Eleven- Planning and Zoning Code of the Wilmington Codified Ordinances; and adopting an updated Zoning Code.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that third reading be on the next council agenda.

M. Purkey introduced O-18-72 that will amend the Holiday Sanitation Department schedule. Clerk M. Miller explained that this issue came to her attention due to the high labor cost on the current observed holidays. After review it was found that because the process required the department to work holidays, the workers were receiving overtime and holiday pay. This amended ordinance will make it so that trash can be collected the day after a holiday, which use less overtime in the long run. M. Miller clarified that the

workers will now have the holiday off, and while this is an administrative function, they chose to also present to council.

Motion by M. Purkey and seconded by M. Allbright to give the first reading only on Ordinance No. O-18-72 An Ordinance amending Ordinance No. 4935 Adopting a Schedule to provide for the observance of legal holidays for City Employees, and declaring an emergency.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a second and third reading be on the next council agenda.

M. Purkey introduced R-18-42, authorizing a bonus to the Transit System Employees. There was a minor correction to the legislation, B. Rudduck and M. Miller stated they would make the edits regarding cutoff for the bonus.

Motion by M. Purkey and seconded by B. Liermann to give a first reading only on amended Resolution No. R-18-42 A Resolution authorizing a one-time bonus to Wilmington Transit System Employees.

All yeas.

Motion passes.

The Law Director read the amended Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to suspend the rules and regulations and give the second and third readings on the amended Resolution.

Roll Call; 7 yeas.

Motion passes.

The Law Director read the amended Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the amended Resolution as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared amended Resolution No. R-18-42 passed as read.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Liermann had no report but thanked council for the transit bonus.

Solid Waste/Recycling Committee- Chairperson M. Allbright had no report.

Streets Committee – Chairperson T. Williams had no report.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had no legislation. She introduced Fathom Representatives, who are the City's choice for metering and billing services. K. Swindler summarized the project that will update and improve the water metering. K. Swindler highlighted the cost/value analysis that lead to the decision to choose Fathom for the service. Superintendent Rick Shaffer introduced Jason Bethke from Fathom, who spoke and also summarized the program and its goals. Mr. Bethke explained that with the cost savings of this project make it "revenue neutral" so there will be less of a chance of rate increases. He also stated the timeline will begin in January, starting with notification to the users, and followed by the finishing of installation of new meters this summer. Mr. Bethke also explained they have acquired a low interest rate, but need to act upon it before January 23<sup>rd</sup>. K. Swindler explained that the legislation will be ready for next Council meeting, and due to the need for approval as soon as possible, the legislation will be on the agenda for three readings on December 20<sup>th</sup>.

**REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by M. Purkey to accept the Income Tax Report.

Motion passed.

Reports accepted as presented.

**OPEN TO PUBLIC**

Steve Sawzin-43 Fulton Street. Mr. Sawzin asked general budget questions about carryover and revenue.

Councilperson Purkey proposed council workshops before council meeting. He stated he will discuss it further during the next council meeting. M. Miller also noted possible changes in the upcoming summer schedule and asked the members to not lose sight of that.

**EXECUTIVE SESSION**

M. Miller stated there will be council action after the Executive Session.

Motion by M. Purkey to move into executive session pursuant to RC 121.22(G)2. Second K. Fickert. Roll call completed. All yeas. 8:55 p.m.

Motion to exit executive session by M. Purkey and second by J. McKay to exit executive session. Roll call complete. Exit at 9:17 p.m.

Motion was made by K. Swindler, seconded by B. Liermann to authorize Mayor to enter into agreement with FOP for the dispatch contract.

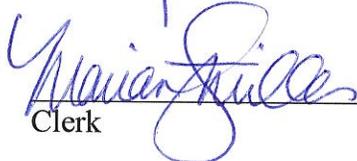
**ADJOURNMENT**

A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:58 p.m.

ATTEST:

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

**COUNCIL**

**December 20<sup>th</sup>, 2018**

Wilmington City Council met in regular session on Thursday, December 20<sup>th</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**

*President McKay noted the resignation of Councilperson Albright, effective December 7th.*

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

Chief Weyand was present as Sergeant at Arms.

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

**PRESIDENT OF COUNCIL**

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

Motion by J. McKay and seconded by K. Fickert to approve the agenda as presented.

Motion passed.

Agenda approved as presented.

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

Motion by K. Swindler and seconded by T. Williams to approve December 6<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

**MAYOR**

Mayor Stanforth introduced Commissioner Pat Haley, who thanked the community and council and noted this would be his last meeting as a County Commissioner. Mayor Stanforth noted various community events occurring in the city and he noted the new cemetery barn is almost completed. Stanforth thanked the Wilmington Fire Department for donating coats to children at their schools and he congratulated ECC on their ten year anniversary. Mayor Stanforth concluded by wishing Councilperson M. Purkey good luck in his upcoming Christmas performance.

**AUDITOR**

Auditor Hollingsworth was present. He thanked John [Wilmington News Journal] for editing the announcement for him not running for re-election vs retirement. He also presented the Auditor's State Award and read the note from the State Auditor, David Yost, stating this is the third year in a row the department has received it. He also noted income tax collections hit eight million and he will prepare a report for council after the budget is approved.

**SERVICE AND SAFETY DIRECTOR**

Director Shidaker thanked Taylor Stuckert and Zach Moore for all the work on the zoning update. He introduced Taylor Stuckert to present information regarding Resolution R-18-46 for continuation of the bike trail past Nelson Avenue and applying for grant funds for the project K. Swindler noted she is a board member of the Clinton County Trails Coalition so she will abstain from the vote.

Motion by K. Fickert and seconded by J. McKay to give the first reading only on Resolution No. R-18-46 Authorizing the submittal of applications for Clean Ohio Trails Fund Grants and

authorizing the Director of Public Service to enter into a memorandum of agreement with the Clinton County Trails Coalition.

5 yeas. 1 abstain.

Motion passes.

The Law Director read the Ordinance by title only.

B. Shidaker asked that a second and third reading be on the next agenda.

B. Shidaker also gave an update on the cemetery bridge project, and noted because the bridge is historic, preservation must be a component in its repair. B. Shidaker stated the plan for rehab is to build a new bridge in the cemetery and include the historic components of the current bridge. He stated this is a 95% grant match for construction and will cost \$276,000 for the project.

#### **COMMITTEE REPORTS AND ACTION**

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

Cemetery Committee – Chairperson J. McKay had no report.

City Revitalization Committee – Councilperson J. McKay stated there was no legislation but a request from the Parks Department for funds from Retained Hotel Lodging for \$75,000. He introduced the request from Jermaine Isaac, stating it was originally an open ended request, but during committee they decided upon \$75,000 in order to have the appropriate amount of carryover remaining. M. Purkey requested a cleaner process and not having open ended funds requests. K. Swindler noted support of the project and the precedent for using money for the park in other communities. Auditor Hollingsworth and Clerk M. Miller clarified there was not a carry-over requirement, but there would be no funds available to request in the first quarter if they were all granted in the fourth quarter.

Motion by J. McKay and second by M. Purkey to approve the request.

All yeas. (6 yeas).

Request approved.

Dauna Armstrong, President of Park Board, thanked council and J. Isaac for support of this project.

Finance Committee – Chairperson K. Swindler had 3 pieces of legislation to introduce.

K. Swindler introduced O-18-78 making miscellaneous transfers from “Workers Comp” to “Incidentals” the sum of \$89.48, from “Director of Law Education & Training” to “Director of Law Salaries” the sum of \$765.00, from “Utilities” to “Postage & Supplies” the sum of \$1,000.00, from “Pensions” to “Incidentals” the sum of \$70.00, from “Direct Deductions” to “Equipment Maintenance” the sum of \$165.00, and from “Workers Comp” to “Subscriptions and Publications” the sum of \$3.00.

Motion by K. Swindler and seconded by M. Purkey to give the first reading only on Ordinance No. O-18-78 Making miscellaneous transfers.

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-78 passed as read.

K. Swindler introduced O-18-79 making supplemental appropriations from the "Taxi Fund" to "Salaries- Drivers" the sum of \$16,500.00.

Motion by K. Swindler and seconded by K. Fickert to give the first reading only on Ordinance No. O-18-79 Making supplemental appropriations.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-79 passed as read.

K. Swindler introduced the 2019 budget for a second and third reading, noting there have been no changes since the previous meeting.

Motion by K. Swindler and seconded by T. Williams to suspend the rules and give the second and third reading only on Ordinance No. O-18-75 Making appropriations for current expenses and other expenses and other expenditures of the City of Wilmington, Ohio during the fiscal year ending December 31, 2019.

Roll Call: 6 yeas.

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: 6 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-75 passed as read.

K. Swindler thanked everyone who has helped with the smooth passage of the 2019 budget.

Judiciary Committee – Chairperson M. Purkey had four pieces of legislation to introduce.

M. Purkey summarized O-18-67 and O18-68, noting this process of rezoning has gone on for 18 months and included a formation of a Zoning Task Force, professional guidance, and public input.

Motion by M. Purkey and seconded by B. Liermann to give the third reading on Ordinance No. O-18-67 Changing the zoning of Real Property located in the City of Wilmington Ohio.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call: 6 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-67 passed as read.

M. Purkey introduced O-18-68 for the final reading.

Motion by M. Purkey and seconded by K. Fickert to give the third reading on Ordinance No. O-18-68 Rescinding Chapters 1129 and 1131-1169 of Part Eleven- Planning and Zoning Code of the Wilmington Codified Ordinances; and adopting an updated Zoning Code.

All 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.  
Roll Call: 6 yeas.  
Motion passes.

President of Council declared Ordinance No. O-18-68 passed as read.

M. Purkey introduced O-18-72 that would amend the holiday schedule, specifically for the Sanitation Department.

Motion by M. Purkey and seconded by J. McKay to suspend the rules and give second and third reading only on Ordinance No. O-18-72 An Ordinance amending Ordinance No. 4935 Adopting a Schedule to provide for the observance of legal holidays for City Employees, and declaring an emergency.

Roll Call: 6 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.  
Roll Call: 6 yeas.  
Motion passes.

President of Council declared Ordinance No. O-18-72 passed as read.

M. Purkey introduced R-18-47, concerning the Revolving Loan Fund with the Ohio Development Service Agency, and clarified with Clerk M. Miller that this is a yearly piece of legislation concerning the CHIP program, equal housing, CBDG grants, and home repair assistance program.

Motion by M. Purkey and seconded by J. McKay to give a first reading only on Resolution No. R-18-47 A Resolution authorizing the Revolving Loan Fund Agreement with the Ohio Development Services Agency.

All yeas.  
Motion passes.  
The Law Director read the amended 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 amended Resolution.

Roll Call; 6 yeas.  
Motion passes.  
The Law Director read the amended Resolution by title only.

Motion by M. Purkey and seconded by B. Liermann to pass the amended Resolution as read.

Roll Call; 6 yeas.  
Motion passes.

President of Council declared amended Resolution No. R-18-47 passed as read.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Liermann had no report but thanked council for the transit bonus.

Solid Waste/Recycling Committee- Committeeperson J. McKay had no report.

Streets Committee – Chairperson T. Williams had two pieces of legislation.

T. Williams introduce R-18-43 regarding the grant for the Cemetery Bridge Project.

Motion by T. Williams and seconded by J. McKay to give a first reading only on Resolution No. R-18-43 Authorizing the Director of Public Service to execute the LPA Federal Local-

Let Project Agreement No. 32415 and all necessary document with ODOT for the CLI Cemetery Drive Bridge Project, PID 107995, in Sugar Grove Cemetery.

All yeas.

Motion passes.

The Law Director read the amended Resolution by title only.

Motion by T. Williams and seconded by J. McKay to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 6 yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by M. Purkey and seconded by J. McKay to pass the Resolution as read.

Roll Call; 6 yeas.

Motion passes.

President of Council declared Resolution No. R-18-43 passed as read.

T. Williams introduced R-18-45, in anticipation of the 2019 paving project on State Route 134.

Motion by T. Williams and seconded by K. Fickert to give a first reading only on Resolution No. R-18-45 Adopting final legislation for ODOT Urban Paving Project on State Route 134, ODOT PID 101421, in the City of Wilmington.

All yeas.

Motion passes.

The Law Director read the amended Resolution by title only.

T. Williams asked the second and third reading for R-18-45 on the next agenda.

Wastewater/Sewer Committee - Chairperson Fickert had no report.

Water Committee – Chairperson Swindler had four pieces of legislation to present.

K. Swindler introduced O-18-76 dealing with the Fathom utility billing metering project, noting that the need for three readings is to lock in the special interest rate that was offered so it doesn't expire.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-76 An Ordinance approving and authorizing the acquisition by lease with the option to purchase of certain equipment necessary for the City's Waterworks System; Approving and authorizing the execution and delivery of A Master Equipment Lease/Purchase Agreement with Fathom Water Management, Inc., dba Fathom Capital, as Lessor, and separate Schedules thereto relating to the acquisition, financing and leasing of certain Municipal Waterworks System equipment for the public benefit; approving and authorizing the execution and delivery of an escrow and account control agreement with respect thereto and other documents required in connection therewith; authorizing all other actions necessary to the consummation of the transactions contemplated hereby, declaring an emergency.

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas.

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; 6 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-76 passed as read.

K. Swindler introduced R-18-44, also dealing with the Fathom utility billing metering project and authorizes B. Shidaker to enter into the agreement.

Motion by K. Swindler and seconded by K. Fickert to give a first reading only on Resolution No. R-18-44 Authorizing the Director of Public Service to enter in to a technology service agreement with Global Water Management, LLC ("Fathom") as part of a Utility Billing Management, Customer Care Services and Advance Metering Infrastructure Project.  
All yeas.

Motion passes.

The Law Director read the amended Resolution by title only.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 6 yeas.

Motion passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by K. Fickert to pass the Resolution as read.

Roll Call; 6 yeas.

Motion passes.

President of Council declared Resolution No. R-18-44 passed as read.

K. Swindler introduced O-18-71, the annual lime sludge hauling legislation.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-71 Authorizing advertisement and contract for hauling of lime sludge from Water Treatment Plant and declaring an emergency.

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 regulations and give the second and third readings on the Ordinance.

Roll Call; 6 yeas.

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; 6 yeas.

Motion passes.

President of Council declared Ordinance No. O-18-71 passed as read.

K. Swindler introduced O-18-77, regarding the cost of bulk water. K. Swindler stated this would amend the bulk water cost and adjust for the upgrade of the equipment.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-77 Amending Section 929.06, Bulk Water Purchasing, of the Codified Ordinances.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

K. Swindler asked that a second and third meeting on for next council.

## **REPORTS TO COUNCIL**

A motion was made by J. McKay and seconded by K. Fickert to accept the Auditor Treasurer Report.

Motion passed.

Reports accepted as presented.

**OPEN TO PUBLIC**

Paul Hunter of Randolph Street thanked K. Swindler and R. Schaffer for the bulk water legislation.

B. Liermann inquired about the vacant Council seat. President M. McKay stated the matter was not in Council control.

Conversation by M. Purkey and other members of Council regarding future scheduling of committee meetings, as well as reformation and consolidation of certain committees, and changing to earlier meeting times. The Law Director will review if Council can reduce quantity of meetings. Clerk M. Miller stated she will consolidate committees.

Don Wells inquired as to the physical address of Sugar Grove Cemetery. K. Fickert stated it is 297 West Truesdell Street.

J. McKay thanked Pat Haley for his service.

**ADJOURNMENT**

A motion was made by B. Liermann.  
President M. McKay declared meeting adjourned.  
Council adjourned at 8:49 p.m.

ATTEST:

  
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President of Council

  
\_\_\_\_\_  
Clerk