

# MINUTES

**Wilmington City Council**

**February 17, 2022**

Wilmington City Council met in regular session on Thursday, February 17, 2022, at 7:30 p.m. at 69 N. South St. Wilmington, Ohio, with President Mark McKay presiding.

## **CALL TO ORDER**

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

## **ROLL CALL**

Roll Call: J McKay, present; M Snarr, present; B Liermann, present; B Osborn, present; M Allbright, present; N Eveland, present; M Purkey, present

Chief Cravens was present as Sergeant at Arms.

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

## **PRESIDENT OF COUNCIL**

M Purkey moved to accept the agenda as presented. J McKay seconded the motion. Voice vote. Motion passed unanimously.

**Agenda accepted.**

J McKay moved to approve the minutes of the February 10, 2022, special City Council Meeting as presented. M Allbright seconded the motion.

Voice vote. Motion passed unanimously.

**February 10, 2022, regular City Council minutes approved.**

President McKay opened the Public Hearing at 7:32 p.m., for a rezoning request from Healthsource of Ohio for the rezoning of two parcels with a total area of 0.357 acres (more or less), more commonly known as 156 ½ and 168 W Main Street, from DT (Downtown Transition) to DC (Downtown Core).

Bob Welling – K4 Architecture provided a summary of the Heathsource project. Healthsource wishes to build a larger facility and has purchased the properties adjacent to the current facility. The new properties and their existing properties have two different zoning designations, and it is their preference to rezone the properties into a single zoning designation – DC Downtown Core. This rezoning must happen prior to them being able to replat the property and move forward with the project.

There were no public comments or questions.

President of Council closed the public hearing at 7:36 p.m.

## **MAYOR**

Mayor Stanforth announced that the State of the City is good and read the State of the City address as follows:

*Despite many challenges faced by all of us in the second year of this pandemic, the City of Wilmington continues to make significant progress. While replacing critical, aging infrastructure and navigating responsible new development, the City kept moving in the right direction.*

*Forward. We remain steadfast in spending responsibly, while continuing our focus on safety services, code enforcement, and road improvements. City spending did not surpass city revenue. Our revenue has many different labels, funds, taxes, fees, and levies. Regardless of what we call it, it doesn't change the fact that these revenue streams are taxpayer contributions to our community. I remain committed to responsibly shepherding the budget and projects to match the trust given to us by our citizens and the needs of the community.*

*This important work can only be accomplished with support of City Council and the dedicated efforts performed by City employees. In the year ahead, we look forward to serving residents in the responsive and responsible manner that you have come to expect from all of us.*

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Mayor Stanforth recognized Patrol Officer Matt Hamilton with a plaque for exemplary service in the line of duty for his work as a first responder to a bleeding injury at a local industry.

Mayor Stanforth recognized the passing of Lois Allen. He provided the upcoming Murphy Theatre schedule, the COVID-19 vaccination schedule at the Health Department, and he announced a production of the Wilmington College Theatre Department. Stanforth also mentioned an upcoming meatloaf cookoff at the American Legion and the Clinton County Homeless Shelter Soup Fundraiser,

Mayor Stanforth performed the swearing-in ceremony for Sergeant Robert Wilson.

**AUDITOR** – Auditor Vance – No report.

### **SERVICE AND SAFETY DIRECTOR**

Service Director Shidaker presented a Power Point presentation entitled True or False – Rombach Avenue to dispel common myths about the Rombach Avenue project:

- The project is complete: False. The project will resume in the spring and be completed summer 2022.
- There are medians in the project. False. There are no medians as part of this project.
- There is a median in front of the park: False. There is pedestrian refuge island in front of the Park to allow for pedestrian crossings to the businesses across the street.
- Left hand turns will be restricted at unsignalized locations: True. As part of the safety portion of the project, left turns will be restricted.

Shidaker provided a list of things council should expect in the future, which included:

- A supplemental for \$500,000 for the Clean Ohio Trails Grant for the Luther Warren Peace Path Extension Project.
- A supplemental appropriation for over \$400,00 to move the poles on Rombach.
- A supplemental appropriation to complete the Airborne Road project for approximately one million dollars. Mary Kay added that the city would need to review where the money would come from when the time came for the supplemental.
- A supplemental appropriation for construction inspection services because of all of the projects happening in the City.

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

**CITY REVITALIZATION COMMITTEE** - J McKay - No report.

### **CITY SERVICES COMMITTEE**

N Eveland indicated he would try to schedule a committee meeting prior to the next Council meeting.

### **FINANCE COMMITTEE –**

M Allbright introduced Ordinance O-22-05 An Ordinance providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$1,550,000, in anticipation of the issuance of bonds, for the purpose of paying at maturity, together with other lawfully available funds of the city, the City's outstanding Series 2021 Landfill notes, and paying related lawful costs of issuance; authorizing a purchase agreement and a registrar agreement; and declaring an emergency.

M Allbright moved to have the first reading on Ordinance O-22-05 by title only. M Snarr seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

**Director of Law read Ordinance O-22-05 by title only**

M Allbright moved to suspend the rules and regulations and have the second and third readings on Ordinance O-22-05 by title only. M Snarr seconded the motion.

Roll call vote: McKay, aye; Snarr, aye; Liermann, aye; Osborn, aye; Allbright, aye; Eveland, aye; Purkey, aye. Motion passed.

**Director of Law read Ordinance O-22-03 by title only.**

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M Allbright moved for passage of Ordinance O-22-05. M Snarr seconded the motion. Roll call vote: Snarr, aye; Liermann, aye; Osborn, aye; Allbright, aye; Eveland, aye; Purkey, aye; McKay, aye. Motion passed.

**Ordinance O-22-05 passed as presented.**

M Allbright introduced Ordinance O-22-06 Making Miscellaneous Transfers.

M Allbright moved to have the first reading on Ordinance O-22-06 by title only. B Osborn seconded the motion.

Discussion:

- a) From 670.370.5410 "Incidentals" to 670.370.5265 "Property Taxes" the sum of \$216.00.
- b) From 605.350.5232 "Architectural and Engineering" to 605.350.5265 "Property Taxes" the sum of \$766.00
- c) From 535.214.5272 "Equipment Maintenance" to 535.214.5265 "Property Taxes" the amount of \$10.00

Voice vote. Motion passed unanimously.

**Director of Law read Ordinance O-22-06 by title only**

M Allbright moved to suspend the rules and regulations and have the second and third readings on Ordinance O-22-06 by title only. B Osborn seconded the motion.

Roll call vote: Liermann, aye; Osborn, aye; Allbright, aye; Eveland, aye; Purkey, aye; McKay, aye; Snarr, aye. Motion passed.

**Director of Law read Ordinance O-22-06 by title only.**

M Allbright moved for passage of Ordinance O-22-06. B Osborn seconded the motion.

Roll call vote: Osborn, aye; Allbright, aye; Eveland, aye; Purkey, aye; McKay, aye; Snarr, aye; Liermann, aye. Motion passed.

**Ordinance O-22-06 passed as presented.**

### **JUDICIARY COMMITTEE**

M Purkey introduced Ordinance O-22-07 Changing the zoning of real property located on West Main Street in the City of Wilmington, Ohio.

M Purkey moved to have the first reading on Ordinance O-22-07 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

**Director of Law read Ordinance O-22-07 by title only**

M Purkey requested the second reading be placed on the agenda for the next council meeting.

M Purkey introduced Ordinance O-22-08 Amending Ordinance No. O-19-48 to increase wages under the employee pay plan for calendar years 2022, 2023, 2024, and 2025

Purkey stated he had concerns regarding the ordinance because it provides for a 2% increase for multiple years. He said he had spoken to Auditor Vance and he was not comfortable with the ordinance as presented and would prefer to consider legislation providing for a 2% increase for 2022 only. Auditor Vance stated her concerns regarding needing more time to analyze how the increases would affect the bottom line. Eveland asked if there was a discussion about tying in compensation increases to CPI or an accepted standard of inflation. City Administrator Miller stated they had discussed it, but it would cause increases to be more volatile. Purkey added that there may be other methods of compensation evaluations and increases that should be considered.

There was a discussion of the possibility of amending the ordinance on the floor. Law Director Rudduck stated there was a qualitative difference between what was presented and what is being proposed. He suggested a new ordinance be introduced at the next meeting. Purkey stated he would have two readings at the next meeting, so the ordinance stays on schedule for the employees. It was noted the pay increase would not be retroactive to the beginning of the year.

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Purkey moved to postpone the first reading of Ordinance O-22-08 until its language has been amended to apply to only a single year of increases. J McKay seconded the motion. Voice vote. Motion passed unanimously.

**O-22-08 postponed and recommended for re-drafting.**

Purkey introduced Ordinance O-22-09 An Ordinance declaring the improvement of a certain parcel of real property to be a public purpose; Creating an Incentive District TIF; Declaring such property to be exempt from real property taxation; Designating specific public infrastructure improvements made, to be made, or in the process of being made, that directly benefit, or that once made will directly benefit, the parcel for which improvement is declared to be a public purpose; Requiring annual service payments in lieu of taxes; Providing related authorizations pursuant to Ohio Revised Code Sections 5709.40(c), 5709.42, 5709.43, 5709.832 and 5709.85; and Declaring an emergency.

Purkey moved to have the first reading on Ordinance O-22-09 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. B Osborn abstained. The remaining members voted "aye." Motion passed.

**Director of Law read Ordinance O-22-09 by title only**

Purkey requested the second reading be placed on the agenda for the next Council meeting.

Purkey introduced Ordinance O-22-10 Amending Section 133.12 Payment of Hospitalization, Group Life Insurance and Dental Insurance Premiums of the Wilmington Codified Ordinances; and Declaring an emergency.

It was noted there was a typographical error in the ordinance: regarding the employee life insurance coverage, the words "up to \$20,000.00" should read "at least \$20,000."

M Purkey moved to have the first reading on Ordinance O-22-10, as amended, by title only. M Allbright seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

**Director of Law read Ordinance O-22-10, as amended, by title only**

M Purkey moved to suspend the rules and regulations and have the second and third readings on Ordinance O-22-10, as amended, by title only. M Allbright seconded the motion.

Roll call vote: Allbright, aye; Eveland, aye; Purkey, aye; McKay, aye; Snarr, aye; Liermann, aye; Osborn, aye. Motion passed.

**Director of Law read Ordinance O-22-10, as amended, by title only.**

M Purkey moved for passage of Ordinance O-22-10, as amended. M Purkey seconded the motion.

Roll call vote: Eveland, aye; Purkey, aye; McKay, aye; Snarr, aye; Liermann, aye; Osborn, aye; Allbright, aye. Motion passed.

**Ordinance O-22-10 passed, as amended.**

**PUBLIC WORKS COMMITTEE** - M Snarr – No report.

### REPORTS TO COUNCIL

M Purkey moved to approve the following reports:

- a. Auditor-Treasurer Report, January 2022.

J McKay seconded the motion.

Voice vote. Motion passed unanimously.

**Reports approved as presented**

### OPEN TO PUBLIC

J McKay spoke about the 25<sup>th</sup> anniversary of the Kehoe shootings in Wilmington, a widely reported gunfire exchange between local law enforcement and the Kehoe brothers in 1997.

### EXECUTIVE SESSION

M Purkey moved to enter executive session under Section 121.22(G)(8) - To consider confidential information related to the marketing plans, specific business strategy,

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production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance. B Liermann seconded the motion.

Roll call vote: Purkey, aye; McKay, aye; Snarr, aye; Liermann, aye; Osborn, aye; Allbright, aye; Eveland, aye. Motion passed.

**Executive Session approved.**

**Council entered Executive Session at 8:32 p.m.**

**Council returned to Regular Session at 8:58 p.m.**

**ADJOURNMENT**

M Purkey moved to adjourn the meeting.

**President M McKay declared the meeting adjourned at 8:59 p.m.**

ATTEST:

  
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President of Council

  
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Clerk