RESOLUTION NO. R-22-35

DECLARING SURPLUS PROPERTY, TO WIT: WASTEWATER EQUIPMENT VALUED AT MORE THAN $1000, AND AUTHORIZING THE DISPOSITION OF SAID PROPERTY

WHEREAS, Council has determined that the following described personal property, to wit:

2001 Electric Eel Push Camera	Serial # OO1213
2004 Sewer Equip. of America Patriot II Root Cutter	Model # WJ49P
1988 Hobbs Irrigation Sprayer Model 1375XLG	Serial # 25578

is obsolete, unneeded, or unfit for municipal purposes and that it is in the best interests of the City to sell or dispose of said property on conditions set forth hereinafter:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the aforementioned property declared surplus is obsolete, unneeded, or unfit for municipal purposes.

Section 2. That the Director of Public Service or designee is hereby authorized to sell the aforementioned property to the highest and best bidder as is permitted pursuant to O.R.C. §721.15; and

Section 3. That this Resolution shall be in full force and effect from and after the earliest period allowed by law.

.

Passed this 18th day of August 2022

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022.

_____
Mayor

RESOLUTION NO. R-22-36

ACCEPTING A GRANT FROM THE LEGACY FUND OF THE CLINTON COUNTY FOUNDATION; AND DECLARING AN EMERGENCY

WHEREAS, the City of Wilmington submitted an application to the Clinton County Foundation Legacy Fund for funds to assist the completion of the Wilmington Parks to Davids Drive Path Connector; and

WHEREAS, the Legacy Fund has accepted the application and has committed to provide assistance of $100,000.00 in the form of a grant to the City of Wilmington.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the Mayor of the City of Wilmington be, and hereby is, authorized on behalf of the City to execute documents and take other actions as necessary to accept and administer funds from the Clinton County Foundation Legacy Fund in the amount of one hundred thousand dollars ($100,000.00).

Section 2. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution is passed as an emergency measure necessary for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City, and therefore, this Resolution shall become effective immediately upon its passage.

Passed this 18th day of August 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022.

_____
Mayor

ORDINANCE NO. O-22-37

MAKING SUPPLEMENTAL APPROPRIATIONS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That in addition to the sums heretofore appropriated, certain sums be and the same hereby are, appropriated as follows:

a. From the available excess funds in the Taxi Fund to 211.390.5515 "Reserve Fund Capital Expenses" the sum of $9,000.00

b. From the available excess funds in the Sugar Grove Cemetery Fund to 580.500.5410 "Incidentals" the sum of $8,275.44.

c. From the available excess funds in the General Fund to 110.120.5513 "Rombach/Elizabeth Traffic Signal" the sum of $64,420.46

d. From the available excess funds in the Police Fund to 510.211.5317 "Vehicle Fuel - Police" the sum of $20,000.00

e. From the available excess funds in the Water System Fund to 605.350.5317 "Water Vehicle Fuel" the sum of $7,500.00

f. From the available excess funds in the Stormwater System Fund to 640.350.5317 "Stormwater Vehicle Fuel" the sum of $4,000.00

g. From the available excess funds in the Sewer System Fund to 635.360.5317 "Sewer Vehicle Fuel" the sum of $15,000.00

h. From the available excess funds in the Waste Fund to 670.380.5314 "Landfill Vehicle Gas Expenses" the sum of $30,000.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon approval of the amended certificate by the Clinton County Budget Commission.

Passed this 18th day of August 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022.

_____
Mayor

ORDINANCE NO. O-22-38

MAKING MISCELLANEOUS TRANSFERS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That from the sum heretofore appropriated, the following sums be, and the same hereby are, transferred for current expenses and other expenditures as follows:

a) From 110.132.5410 “Income Tax Incidentals” to 110.132.5237 “Tax Data Processing” the sum of $13,000.00

b) From 605.350.5446 “Match – Mulberry Street Project” to 605.350.5272 “Water Equipment Maintenance” the sum of $26,500.00.

Section 2. That this Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon its passage.

Passed this 18th day of August 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th of August 2022.

_____
Mayor

ORDINANCE NO. O-22-39

ESTABLISHING A NEW FUND

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That in addition to the funds heretofore created for the purpose of administering and accounting for the finances of the City, a new fund be and the same hereby is created as follows:

a. "ONEOHIO FUND"

Section 2. That this ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon its passage.

Passed this 18th day of August 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022.

_____
Mayor

RESOLUTION NO. R-22-37

ACCEPTING LOCAL GOVERNMENT ASSISTANCE FORMULA AS PROVIDED BY THE CLINTON COUNTY AUDITOR

WHEREAS, the Clinton County Auditor has presented the City with the formula under which the City's portion of Local Government and Local Government Revenue Assistance funds for 2023 will be calculated; and

WHEREAS, said formula indicates the City will receive 29.50% of such funds allocated to the various political subdivisions of Clinton County in 2023. (Exhibit A)

WHEREAS, said formula estimates the City will receive $378,072.00 in 2023 from the Local Government and Local Government Revenue Assistance funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the Council of the City of Wilmington accepts the above referenced formula as provided by the Clinton County Auditor.

Section 2. That this resolution shall be in full force and effect at the earliest period allowed by law.

Passed this 18th day of August 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022.

_____
Mayor

2023 LOCAL GOVERNMENT ALTERNATIVE FORMULA

TOWNSHIPS:	PERCENTAGE
Adams	0.90%
Chester	0.70%
Clark	0.80%
Green	0.60%
Jefferson	0.60%
Liberty	0.40%
Marion	1.40%
Richland	0.60%
Union	1.50%
Vernon	0.85%
Washington	0.85%
Wayne	0.50%
Wilson	0.30%
Total Townships	10.00%
VILLAGES	
Blanchester	5.55%
Clarksville	0.90%
Martinsville	0.90%
Midland	0.60%
New Vienna	1.80%
Port William	0.45%
Sabina	4.80%
Total Villages	15.00%
CITIES	
City of Wilmington	29.50%
CLINTON COUNTY	45.50%
Grand Total	100.00%

We are in receipt of the local government formula and accept the same by Resolution/Ordinance

No. _____ dated _____ _____, _____

_____
Date

_____
Clerk of Political Subdivision

_____
Political Subdivision

Please sign and return one copy to Auditor's Office by September 30, 2022 if possible.

Ohio | Department of Taxation

Revenue Accounting Division
PO Box 183077
Columbus, Ohio 43218-3077

(614) 466-7150 Fax (614) 995-0988
www.tax.ohio.gov

CLINTON COUNTY
CALENDAR YEAR 2023 ESTIMATE
OF THE COUNTY UNDIVIDED LOCAL GOVERNMENT FUND

July 22, 2022

In compliance with RC 5747.51(A), the Ohio Department of Taxation is certifying to Clinton County, the estimated revenues to be allocated and received by the county's Undivided Local Government Fund for Calendar Year 2023.

Calendar Year 2023 Estimated County Undivided Local Government Fund Clinton County:

CY 2023 Estimated CULGF	**$1,281,600.00**

Statutorily, the CULGF receives 1.66 percent of the revenue from all state General Revenue tax sources. Your county's share was determined pursuant to the formula contained in RC sections 5747.50 through 5747.51 (inclusive). RC 5747.501 guarantees that each county's CULGF distribution will receive in any fiscal year an amount that is no less than the lesser of the amount the county received in state Fiscal Year 2013 or $750,000.

Note that the above figures are ***estimates***, reflecting the current best projection of state tax revenues during Calendar Year 2023. Because of the inherent difficulty in projecting state tax revenues relatively far in advance, please remember that actual calendar year 2023 distributions to your county's undivided local government fund will vary from the above estimate by an unknown degree. Additionally, these amounts are prior to any withholding of fines derived from traffic enforcement camera as given in R.C. 5747.502.

In addition, forms for your use in complying with the reporting requirements of RC 5747.51(J) will be posted to our website (RA/JL form). This section requires notification to the Tax Commissioner of the estimated allocations to the subdivisions of the CULGF. In addition, we are asking that also show the estimated allocations of the Public Library Fund. Please complete and return these forms after your county's budget commission has made the 2023 apportionments.

If you have any questions concerning the CULGF, please contact either Andrew Coulter of Revenue Accounting (614-466-7150) for payment questions or Ernest Massie of Tax Analysis (614-466-0694) for questions on the forecast.

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

(VILLAGE COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of Wilmington, Clinton County, Ohio, met in regular session on the 18th day of August, 2022, at the office of Council Chambers with the following members present:

_____

_____

_____

_____

_____

_____

_____

Mr./Ms. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2022; and

WHEREAS, the Budget Commission of Clinton County, Ohio has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by the Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Wilmington, Clinton County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column 1	Column II	III	IV
General Fund		520,660	2.000	
Police Pension		78,099	0.300	
Sinking Fund		78,099	0.300	
Park Fund				
Recreation Fund	267,760			1.250
Police Fund	261,139			1.250
Fire & EMS Fund	261,139			1.250
EMS Fund	188,659			1.000
Fire & EMS Fund	155,785			1.000
Cemetery	256,385			1.000
TOTAL	**1,390,867**	**676,858**	**2.600**	**6.750**

City of Wilmington

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be Levied	Co. Auditor's Est. of Yeild of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current expense levy authorized by voter on not to exceed years.		
Current expense levy authorized by voter on not to exceed years.		
Total General Fund outside 10 m. Limitation.	**0.000**	-
Park Fund: Levy authorized by voters on for not to exceed years.		
Recreation Fund: Levy authorized by voters on 5/3/05 for not to exceed cont. years.	1.250	267,760
Police Fund: Levy authorized by voters on 11/2/1999 for not to exceed cont. years.	1.250	261,139
Fire & EMS Fund: Levy authorized by voters on 11/2/1999 for not to exceed cont. years.	1.250	261,139
EMS Fund: Levy authorized by voters on 5/5/1998 for not to exceed cont. years.	1.000	188,659
Fire & EMS Fund: Levy authorized by voters on 11/8/05 for not to exceed cont. years.	1.000	155,785
Cemetery: Levy authorization by voters on 11/2/2021 for not to exceed cont. years.	1.000	256,385

and be it further

RESOLVED, That the Clerk of this Council be, and he/she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr./Mrs. _____ seconded the Resolution and roll being called upon its adoption the vote resulted as follows:

Mr./Mrs. _____, _____

Mr./Mrs. _____, _____

Mr./Mrs. _____, _____

Mr./Mrs. _____, _____

Mr./Mrs. _____, _____

Mr./Mrs. _____, _____

Mr./Mrs. _____, _____

Adopted the _____ day of _____, 20_____.

_____

Attest:

_____

President of Council

_____

Clerk of Council

CERTIFICATE TO COPY

ORIGINAL ON FILE

The State of Ohio, Clinton County, ss.

I, Andrea Tacoronte, Clerk of the Council of the Village of Wilmington, within and for said County, and in whose custody the Files and Records of said Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original _____

_____

_____

now on file with said Board, that the foregoing has been compared by me with said orignal document, and that the same is true and correct copy thereof.

WITNESS my signature, this _____ day of _____, _____

_____

Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor before the first day of October in each year, or at such later date as may be approved by the Board of Tax Appeals.

RECEIVED BY, AUDITOR'S OFFICE:

CITY OF WILMINGTON — TAX ESTIMATE FOR TAX YEAR 2022

		Values:	Totals:
	Agricultural	1,944,270	1,944,270
	Residential	149,503,050	149,503,050
Class 1	**Total**	**151,447,320**	**151,447,320**
	Commercial	96,773,390	96,773,390
	Industrial	11,089,110	11,089,110
	PU Real	41,370	41,370
Class 2	**Total**	**107,903,870**	**107,903,870**
	PUPP (from chart)	9,030,230	9,030,230
Full	**Total**	**9,030,230**	**9,030,230**
	TOTAL	**268,381,420**	**268,381,420**

Levy Name	*FULL*	*CLASS 1*	*CLASS 2*	*Estimated Tax*	*Less 3%*	*Net Tax Estimate*	*Type*	*Voted*	*TY Begin*	*# Years*	*TY Expires*	*Original Levy Year*
General	2.000000	2.000000	2.000000	536,763	16,103	520,660						
Police Pension	0.300000	0.300000	0.300000	80,514	2,415	78,099						
Sink Fund	0.300000	0.300000	0.300000	80,514	2,415	78,099						
Total Inside	**2.600000**	**2.600000**	**2.600000**	**697,791**	**20,933**	**676,858**						
93 Fire & EMS	1.000000	0.441613	0.784886	160,603	4,818	155,785	R	11/08/05	2006	cont	cont	1993
98 EMS	1.000000	0.590695	0.889729	194,494	5,835	188,659	A	05/05/98	1998	cont	cont	1998
00 Fire & EMS	1.250000	0.910687	1.112161	269,215	8,076	261,139	RE	11/2/99	2000	cont	cont	2000
00 Police	1.250000	0.910687	1.112161	269,215	8,076	261,139	RE	11/2/99	2000	cont	cont	2000
05 Recreational	1.250000	0.955761	1.112161	276,041	8,281	267,760	RE	5/3/05	2005	cont	cont	2005
21 Cemetery	1.000000	1.000000	0.962306	264,314	7,929	256,385	A	11/2/21	2021	cont	cont	2021
Total Outside	**6.750000**	**4.809443**	**5.973404**	**1,433,882**	**43,015**	**1,390,867**						
Total	**9.350000**	**7.409443**	**8.573404**	**2,131,673**	**63,948**	**2,067,725**						

RESOLUTION NO. R-22-39

APPROVING SPECIAL ASSESSMENTS PURSUANT TO SECTIONS 923.09, 924.08, 929.03, 1701.08, 1701.09, 1701.10 and 1729.03 OF THE CODIFIED ORDINANCES OF THE CITY OF WILMINGTON, AND DECLARING AN EMERGENCY

WHEREAS, the City Utility Billing department has advised Council that several accounts are delinquent and are considered non-collectable by the Utility Billing supervisor and that said delinquent charges may be submitted to the County Auditor as special assessments pursuant to Sections 923.09, 924.08, and 929.03 of the Codified Ordinances of the City of Wilmington, and

WHEREAS, the City has many properties within its borders whereby the City Code Enforcement Official found litter, garbage, debris, tall grass and noxious weeds on the properties in violation of law (pursuant to Wilmington Codified Ordinance Sections 1729.01 and 1729.02) and also some that have been found to be so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy (pursuant to Wilmington Codified Ordinance Sections 1701.08, 1701.09, and 1701.10) and, after due notice to the owner, lessee or occupant of said properties, found that removal of said litter, garbage, debris, tall grass and noxious weeds, closure of vacant properties, or demolition of said properties was necessary for the health, safety and welfare of the citizens of the City of Wilmington; and

WHEREAS, City of Wilmington Codified Ordinance Sections 1701.08, 1701.09, 1701.10, and 1729.03 permit the City to submit special assessments to the County Auditor for the payment of costs of abating the above-stated conditions upon said properties and 1729.03 permits the City to collect fees for administrative costs incurred by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the special assessments listed in "Exhibit A" attached hereto and made a part hereof by reference are delinquent accounts for utility services provided by the City of Wilmington and should be submitted to the County Auditor.

Section 2. That the special assessments listed in "Exhibit B" attached hereto and made a part hereof by reference were made to the benefited properties listed and should be submitted to the County Auditor. "Exhibit B" does not include assessments for properties where the fee simple ownership changed for fair market since the last special assessment deadline (September 13, 2021, to date), although the City reserves the right in the future to submit such costs as special assessments in accordance with law.

Section 3. That the assessments to be levied be paid in equal semi-annual installments due and payable at the same time as general real estate taxes on said lands; provided, however, that the owner of any property assessed may pay such an assessment in cash at any time after the passage of the assessing resolution.

Section 4. That this Resolution is hereby declared to be an emergency, necessary for the immediate health and welfare of the citizens of Wilmington in that the deadline for submitting said special assessments to the County Auditor is on or about September 12, 2022.

Passed this _____ day of _____, 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this _____ day of _____, 2022.

_____
Mayor

CERTIFICATE

I hereby certify that the foregoing is a true copy of Resolution No. **R_____** duly adopted by the Council of the City of Wilmington, Ohio on _____, 2022.

_____
Andrea Tacoronte
Clerk of Council

RECEIPT

The undersigned County Auditor of the County of Clinton, Ohio, hereby acknowledges that there was filed with him on the _____ day of _____ 2022, by the Clerk of Council of the City of Wilmington, Ohio (the "City"), a certified copy of Resolution No. **R-____** of the City.

_____
Terence G. Habermehl
County Auditor

PARCEL NO.	SERVICE ADDRESS	PROPERTY OWNER	LEGAL DESCRIPTION	WATER	SEWER	STORMWATER	TOTAL
290240401C05600	23 S SOUTH ST	HENRY MAURICE J LN#116338 (25 S SOUTH ST)	ORIG TOWN LT56PT	$73.20	$104.51	$21.16	$198.87
290250309000000	171 S MULBERRY ST	SCHLABACH INVESTMENTS LLC	OUTLOT 88PT SURVEY 26-274	$65.50	$104.49	$1,297.64	$1,467.63
290240401A00300	50 S SPRING ST	HARBOUR REST LLC	ORIG TOWN LT3PT	$43.49	$16.46	$34.45	$94.40
290230101014F00	772 MEAD ST	HENSON CHAD	HIGHLAND ADD BLKF LT14	$73.70	$105.28	$80.62	$259.60
290230710010800	465 WESTFIELD DR	ADAMS ANTHONY W & KATHLEEN L	SOUTHRIDGE SD LT108	$17.00	$26.89	$13.77	$57.66
290230710010800	465 WESTFIELD DR	ADAMS ANTHONY W & KATHLEEN L	SOUTHRIDGE SD LT109	$56.70	$78.39	$40.89	$175.98
290230709014900	430 BURDEL DR	ANDERSON GARY D	SOUTHRIDGE SD S8 LT149	$73.70	$105.28	$71.45	$250.43
290230709015400	390 BURDEL DR	DOUBLE A DEVELOPMENT LLC	SOUTHRIDGE SD S8 LT154	$24.36	$23.34	$9.46	$57.16
290230709018600	108 WOODVIEW	HARBOUR REST LLC	SOUTHRIDGE SD LT186 SEC8	$45.80	$46.62	$9.80	$102.22
290211326B00900	76 DOAN ST	T&G GARNER INVESTMENT PROPERTIES LLC	J&J DOANS ADD LT9EPT	$122.70	$181.95	$0.00	$304.65
290211326E00800	483 S WALNUT	WALKER JERALD H & PATRICIA A	J&J DOANS ADD LT8SPT 05 SP 2900128063 GIS	$160.01	$152.06	$122.32	$434.39
290211326001700	146 DOAN	S DIANE EWING RLT (156 DOAN)	J&J DOANS ADD LT17	$70.21	$82.93	$0.00	$153.14
290211301003300	464 BELMONT	CORDELL MARY TRUSTEE OF AN AGREEMENT AND DT KNOWN AS LIFE LINE ENTERPRISE LAND TRUST	W&J FIFES ELMWOOD ADD LT33	$139.20	$207.52	$51.76	$398.48
290211426A00800	316 S WALNUT	WIXSON AERIAL JASMYN	LINTON & WELCH SD LT8PT	$139.20	$207.42	$68.30	$414.92
290210137000000	218 S WALNUT	CAMPBELL DARRELL A	EXT LT59&64	$91.01	$64.43	$10.13	$165.57
290210137000000	218 S WALNUT	CAMPBELL DARRELL A	EXT LT59&64	$44.64	$35.90	$8.40	$88.94
290240301C09700	156 S WALNUT ST	ORTIZ RANDY	ORIG TOWN LT97PT 05 SP PER PLAT GIS	$73.20	$104.49	$35.10	$212.79
290210121B00100	205 GRANT	ESOTERIC PROPERTIES LLC	JAMES ADD LT 2PT 2007 SPLIT RES 2B .101AC 08 DUP	$150.24	$99.09	$4.26	$253.59
290211416A00900	383 GRANT ST	JONES MELVINA	AFRICAN ADD LOT 9 NPT NP2	$73.20	$104.49	$35.34	$213.03
290211301002000	561 PARIS APT B	MONTPELIER PROPERTIES LLC	W&J FIFES ELMWOOD ADD LT 20 562A-561B PARIS AV	$12.54	$17.40	$10.60	$40.54
290211301002100	573 PARIS APT B	MONTPELIER PROPERTIES LLC	W&J FIFES ELMWOOD ADD LT 21	$69.02	$67.65	$27.77	$164.44
290210214000000	385 DOAN ST	JACKSON CHARLES M	EXT LT1	$73.20	$104.49	$66.30	$243.99
290211416B00200	392 GRANT ST	MEDLEY MICHAEL A	AFRICAN ADD LT2	$73.20	$104.49	$38.76	$216.45
290210234002700	330 S WALL ST	JONES LINDA	JER SINES SD LT27	$73.20	$104.49	$62.16	$239.85
290210234002700	330 S WALL ST	JONES, LINDA (345 CLARK STREET)	JER SINES SD LT27	$73.20	$104.49	$62.16	$239.85
290160601017600	980 HIGGINS ST	FLINT CHARLES E & WILLIAM O FLINT	COLLEGE HEIGHTS LOT 176 NP2	$92.66	$118.82	$46.92	$258.40
290160618000000	72 APPLEGATE	STORER MAYNARD M	LT5&21 MS2690	$1,229.49	$209.26	$59.56	$1,498.31
290160704001300	98 NEWHAM ST	HAYSLIP FREDERICK R & JOAN M *SD	NEWWHAMS ADD LT13	$73.20	$104.49	$68.66	$246.35
290161013C02000	12 N LINCOLN ST	ROBERTS HAROLD E	FAULKNERS ADD LT20 W PT	$73.20	$104.49	$156.48	$334.17
290160920000200	287 E LOCUST ST	MIDNIGHT RESTORATION LLC	MORRIS ADD LT2	$74.20	$106.07	$121.95	$302.22
290240201B10300	97 E LOCUST ST	ZION HILL CHURCH OF GOD	ORIG TOWN LT103PT	$90.20	$131.38	$73.60	$295.18
290160920A00100	114 HIGH ST	HAUGHT FT	MORRIS ADD	$1,240.53	$753.94	$8.69	$2,003.16
290160810000100	170 N WALL ST	CLOUSER GEORGE F JR & CARLA A *SD	NATHAN STARBUCK ADD LT1WH	$12.95	$15.72	$15.32	$43.99
290160901000100	232 N WALL ST	DOUBLE A DEVELOPMENT LLC	JACOB BRINDLE SD LT1	$19.01	$19.26	$6.25	$44.52
290160901B00800	302 N WALL ST	SWISSHELM KENNETH E & BONNIE A	JACOB BRINDLE SD	$74.20	$106.07	$51.21	$231.48
290161102001900	405 N WALNUT	RHOADS JESSICA	S M BABBS 3RD ADD LT19	$182.66	$113.02	$32.06	$327.74
290150205001900	358 A ST	BURTON KIMBERLY J & RICHARD *SD	ER MILLS GRANDVIEW LOT 19 NP	$32.27	$48.75	$2.08	$83.10
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	$4.22	$5.23	$6.99	$16.44
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	$17.31	$16.40	$9.59	$43.30
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	$9.85	$10.32	$6.99	$27.16
290150119000000	853 XENIA AVE	DACHSHUND INVESTMENTS LLC	MS 1057 COMB FR/290-15-01-21-0000-00(.480AC) TO BE 2.338AC 19 DUP	$38.56	$45.56	$33.98	$118.10
290150603E00100	479 N SPRING	TIMPE BRYAN	JOHN RANKIN ADD LT1	$94.02	$131.23	$73.24	$298.49

EXHIBIT A - R-22-XX

PARCEL NO.	SERVICE ADDRESS	PROPERTY OWNER	LEGAL DESCRIPTION	WATER	SEWER	STORMWATER	TOTAL
290240101C02500	149 N MULBERRY ST	PAXTON PROPERTIES (153 N MULBERRY)	ORIG TOWN LT 25MPT 05 SP F/2900109428 GIS	$73.20	$104.49	$19.65	$197.34
290240101C02500	149 MULBERRY ST	PAXTON PROPERTIES	ORIG TOWN LT 25MPT 05 SP F/2900109428 GIS	$73.20	$104.49	$19.65	$197.34
290150602005700	508 GROVE ST	LEWIS JOHN W & CHARLES & THEA SADDLER & D E LEWIS	R E DOANS 2ND ADD LT57	$73.20	$104.49	$86.10	$263.79
290150602008200	502 VALLEY ST	MEDLEY MICHAEL JR	R E DOANS 2ND ADD LT82	$73.20	$104.49	$50.26	$227.95
290150602007800	432 VALLEY ST	ZION HILL CHURCH OF GOD EVANGELISTIC CENTER	RE DOANS 2ND ADD	$73.20	$104.49	$52.40	$230.09
290150701001000	471 HOWARD ST	EALY ANGELA G	ALBERT CARROLL ADD LT10	$91.69	$70.31	$16.69	$178.69
290150704000200	231 THORNE AVE	WILSON TIMOTHY E	ALFRED JOHNSON ADD LT2	$271.70	$411.95	$25.01	$708.66
290151705A01400	155 RICHARDSON PL	RULON JEFFREY S	RICHARDSON ADD LT14PT	$74.74	$104.49	$70.98	$250.21
290240101C05700	37 W MAIN ST	ADAM BEDE HOLDING COMPANY LLC	ORIG TOWN LT57MEPT	$16.28	$10.99	$3.44	$30.71
290150736000000	281 W MAIN ST	KIRK L D & SUSANNE P *SD	EXT LT137	$74.74	$104.49	$68.83	$248.06
290150803000600	897 W MAIN ST APT 3	JOHNS JERRY J II & JANE M TUKE	QUINBY & CARROLL ADD LT6	$143.75	$100.88	$14.39	$259.02
290151403004500	606 SILVERADO DR	W & K DEVELOPMENT LTD	PRESTON WOODS S1 PH2 LT45 MS 1057	$74.74	$104.49	$456.12	$635.35
290151404006900	1004 COUNTRY OAKS	BREWER LISA	PRESTON WOODS SD LT 69 SEC II, PHASE I RECOUP 2006 DUP 05 SPLIT F/290-019075-2	$98.87	$121.30	$95.75	$315.92
			TOTALS	$6,482.46	$5,945.91	$3,935.44	$16,363.81

Code Enforcement Special Assessments

Exhbit B
Resolution R-22-xx

Parcel #	Property Address	Owner Name	Case Date	Fee Name	Fee Amount
290211426A00800	316 S WALNUT	WIXSON, AERIAL JASMYN	7/21/2022	Mowing Fees	$ 100.00
290211441000000.00	286 S. SOUTH ST	HAYES, DONALD (dec.)	6/1/2022	Board Up Fee	$ 1,875.00
290160601B03500	115 LINDEN AVE	WILFERT, STEVEN DONALD JR	5/25/2022	Mowing Fees	$ 100.00
290160616000000.00	52 APPLEGATE ST	MCINTOSH, JENNIFER EH	5/24/2022	Mowing Fees	$ 100.00
290251009000000.00	934 W MAIN ST	ROCKET MORTGAGE	5/24/2022	Mowing Fees	$ 100.00
290150117000300.00	325 Nunn Avenue	PFISTER S CRAIG	5/6/2022	Mowing Fees	$ 100.00
290230916001400.00	1350 MEADOW RIDGE CIR	STEVENS, COREY & KAYLA	5/4/2022	Mowing Fees	$ 100.00
290230916001500.00	1366 MEADOW RIDGE CIR	DSH & SONS PROPERTIES LLC	5/4/2022	Mowing Fees	$ 100.00
290210225A01300	448 E. MAIN ST	FULTHEIM, GARY	4/29/2022	Mowing Fees	$ 200.00
290150602B08500	529 GROVE ST	GARRETTE, FREDERICK T	4/29/2022	Mowing Fees	$ 100.00
290150602B08500	529 GROVE ST	GARRETTE, FREDERICK T	4/29/2022	Mowing Fees	$ 100.00
290150602B08500	529 GROVE ST	GARRETTE, FREDERICK T	4/29/2022	Mowing Fees	$ 100.00
290150602B08500	529 GROVE ST	GARRETTE, FREDERICK T	4/29/2022	Mowing Fees	$ 100.00
290210225A01300	448 E. MAIN ST	FULTHEIM, GARY	4/29/2022	Mowing Fees	$ 200.00
290211301000400.00	232 DOAN ST	MCHENRY EDNA	4/28/2022	Mowing Fees	$ 100.00
290210224B00700	218 GRANT ST	BART, JAMES W III	4/28/2022	Mowing Fees	$ 100.00
290210224B00700	218 GRANT ST	BART, JAMES W III	4/28/2022	Mowing Fees	$ 100.00
290160601017800.00	973 HIGGINS ST	CHAMBLIN, IRVIN	4/28/2022	Mowing Fees	$ 100.00
290211301000400.00	232 DOAN ST	MCHENRY EDNA	4/28/2022	Mowing Fees	$ 100.00
290211301000400.00	232 DOAN ST	MCHENRY EDNA	4/28/2022	Mowing Fees	$ 100.00
290150204004600.00	41 A ST	BURDEN, CARRIE J	4/28/2022	Mowing Fees	$ 100.00
290150204004600.00	41 A ST	BURDEN, CARRIE J	4/28/2022	Mowing Fees	$ 100.00
290160601017800.00	973 HIGGINS ST	CHAMBLIN, IRVIN	4/28/2022	Mowing Fees	$ 100.00
290211301000400.00	232 DOAN ST	MCHENRY EDNA	4/28/2022	Mowing Fees	$ 100.00
290210224B00700	218 GRANT ST	BART, JAMES W III	4/28/2022	Mowing Fees	$ 100.00
290160601017800.00	973 HIGGINS ST	CHAMBLIN, IRVIN	4/28/2022	Mowing Fees	$ 100.00
290160601017800.00	973 HIGGINS ST	CHAMBLIN, IRVIN	4/28/2022	Mowing Fees	$ 100.00
290210224B00700	218 GRANT ST	BART, JAMES W III	4/28/2022	Mowing Fees	$ 100.00
290150204004600.00	41 A ST	BURDEN, CARRIE J	4/28/2022	Mowing Fees	$ 100.00
290211301000400.00	232 DOAN ST	MCHENRY EDNA	4/28/2022	Mowing Fees	$ 100.00
290150204004600.00	41 A ST	BURDEN, CARRIE J	4/28/2022	Mowing Fees	$ 100.00
290211301000400.00	232 DOAN ST	MCHENRY EDNA	4/28/2022	Mowing Fees	$ 100.00
290150204004600.00	41 A ST	BURDEN, CARRIE J	4/28/2022	Mowing Fees	$ 100.00
290150204004600.00	41 A ST	BURDEN, CARRIE J	4/28/2022	Mowing Fees	$ 100.00
290211326A00800	445 S Walnut Street	US BANK TRUST	4/27/2022	Mowing Fees	$ 100.00
290210214000000.00	385 Doan Street	JACKSON, CHARLES M (dec.)	4/26/2022	Mowing Fees	$ 100.00
290151830000000.00	NELSON AVE	FAIRLEY, DAVID R	4/19/2022	Mowing Fees	$ 100.00

Code Enforcement Special Assessments

Exhbit B
Resolution R-22-xx

Parcel #	Property Address	Owner Name	Case Date	Fee Name	Fee Amount
290151830000000.00	NELSON AVE	FAIRLEY, DAVID R	4/19/2022	Mowing Fees	$ 100.00
290151830000000.00	NELSON AVE	FAIRLEY, DAVID R	4/19/2022	Mowing Fees	$ 100.00
290151830000000.00	NELSON AVE	FAIRLEY, DAVID R	4/19/2022	Mowing Fees	$ 100.00
290230101008.00	679 Bernice Street	HAUGHT FT	4/15/2022	Mowing Fees	$ 100.00
290150753000000.00	382 W. LOCUST ST	AHMED , FRAM & SOUKAINA	4/13/2022	Mowing Fees	$ 100.00
290210201003900.00	448 Clark Street	FYFFE, GINA	1/12/2022	Mowing Fees	$ 100.00
290150306000000.00	641 Xenia Ave	WILMINGTON TIRE AND AUTO REPAIR INC c/o Nedal Said	1/11/2022	Mowing Fees	$ 200.00
290160620000000.00	112 Applegate St	HAUGHT FT	11/3/2021	Mowing Fees	$ 100.00
290160620000000.00	112 Applegate St	HAUGHT FT	11/3/2021	Mowing Fees	$ 100.00
290150803000300.00	865 W MAIN ST	CLINTON COUNTY LAND REUTILIZATION CORPORATION	10/11/2021	Litter Clean Up Fee	$ 294.00
290150205001900.00	358 A Street	BURTON KIMBERLY J	9/22/2021	Mowing Fees	$ 100.00
290150140000200.00	640 Cross Creek Circle	DSH & SONS PROPERTIES LLC	9/22/2021	Mowing Fees	$ 100.00
290150140000300.00	628 Cross Creek Dr	DSH & SONS PROPERTIES LLC	9/22/2021	Mowing Fees	$ 100.00
290150140000700.00	600 Cross Creek Circle	DSH & SONS PROPERTIES LLC	9/22/2021	Mowing Fees	$ 100.00
290150140000900.00	588 Cross Creek Dr	DSH & SONS PROPERTIES LLC	9/22/2021	Mowing Fees	$ 100.00
290150140000800.00	594 CROSS CREEK	DSH & SONS PROPERTIES LLC	9/22/2021	Mowing Fees	$ 100.00
290150140001000.00	582 Cross Creek Drive	DSH & SONS PROPERTIES LLC	9/22/2021	Mowing Fees	$ 100.00
2902309160000CO	Meadow Ridge Circle	W & K DEVELOPMENT LTD	9/3/2021	Mowing Fees	$ 1,100.00
290210214000000.00	385 Doan Street	JACKSON CHARLES M	9/3/2021	Mowing Fees	$ 150.00
2902309160000CO	Meadow Ridge Circle	W & K DEVELOPMENT LTD	9/3/2021	Mowing Fees	$ 100.00
290250904000000.00	1400 W. Main St	ADKINS FAMILY LLC	8/27/2021	Mowing Fees	$ 100.00
290230709019800.00	980 Linhof	WAITS PENNY M	8/24/2021	Litter Clean Up Fee	$ 99.00
				TOTAL	**$ 9,218.00**

RESOLUTION NO. R-22-40

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 COSTS THEREOF FOR THE YEAR 2023; AND DECLARING AN EMERGENCY

NOW THERFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO, Three-Fourths of all members elected thereto concurring;

Section 1: That it is necessary to light the streets, lanes, lands, alleys, squares, and public places of the City of Wilmington, Ohio, with electric lights in accordance with specifications for the same prepared and recommended by the Director of Public Service of said City, which have heretofore been approved, and adopted and ordered filed.

Section 2. That all of the real estate in said City be and it is hereby declared to be specially benefited by said lighting aforesaid.

Section 3. That the annual cost of said lighting is to be borne by special assessments for the calendar year of 2023, less two percent (2%) thereof, and shall not exceed the sum of Two Hundred, Thirty Six Thousand dollars ($236,000) annually, which shall be assessed by a percentage of the tax value thereof upon the properties in said City, and the costs of said lighting shall include the expenses of printing and publishing notices, resolutions and ordinances required and all other necessary expenditures incident thereto.

Section 4 That the assessments so to be levied to be paid in equal semi-annual installments due and payable at the same time as general real estate taxes on said lands; provided, however, that the owner of any property assessed may, at their option, pay such an assessment in cash within thirty (30) days after the passage of the assessing ordinances.

Section 5: That the remainder of the entire cost of said lighting not specially assessed shall be paid by the City out of the General Fund thereof.

Section 6: That notes of said City of Wilmington may be issued annually in anticipation of collection of assessments as herein provided, and in the amount equal thereto, up on resolution of Council determining the issuance of such notes to be necessary.

Section 7: That Clerk of this Council is hereby directed to cause notice of the passage of this resolution to be given in the Wilmington News Journal in accordance with the provisions of Section 727.14, Revised Code.

Section 8: That this resolution is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety, and welfare, and accordingly, shall be in full force and effective immediately upon its passage.

Passed this 18th day of August, 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022.

_____
Mayor

CERTIFICATE

I hereby certify that the foregoing is a true copy of Resolution No. R-_____; duly adopted by the Council of the City of Wilmington, Ohio on August 18, 2022.

_____
Andrea Tacoronte
Clerk of Council

RECEIPT

The undersigned County Auditor of the County of Clinton, Ohio hereby acknowledges that there was filed with him on the _____ day of August 2022, by the Clerk of Council of the City of Wilmington, Ohio (the "City") a certified copy of Resolution No. _____ of the City of Wilmington.

_____
Terence G. Habermehl
County Auditor

RESOLUTION NO. R-22-32

A RESOLUTION OF SUPPORT FOR A FELINE TRAP/NEUTER/RETURN (TNR) PROGRAM; PLEDGING FINANCIAL SUPPORT; AND AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADOPT RULES AND REGULATIONS TO IMPLEMENT AND ADMINISTRATE A TNR PROGRAM

WHEREAS**,** the City of Wilmington wishes to humanely and responsibly address the robust cat population in Wilmington, thereby ensuring a healthier cat population and diminishing feline nuisance activity; and

WHEREAS, the City desires to implement a city-sponsored animal welfare program in the form of a Feline Trap/Neuter/Return (TNR) Program in order to achieve this goal; and

WHEREAS, the program will be administered from the Office of the Director of Public Safety and will utilize a network of community volunteers who will be tasked with the responsible care and feeding of feral and community cats, trapping and transporting felines for spay and neuter surgery, and returning said felines to their community; and

WHEREAS, City Council has deemed a TNR program is in the best interest of the City of Wilmington and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That Wilmington City Council hereby approves of the creation and implementation of an animal welfare program, including a Trap/Neuter/Return (TNR) program, to address control of the feral and community cat population within the limits of the City of Wilmington.

Section 2. That Wilmington City Council hereby pledges to provide financial support to a TNR Program in its first year.

Section 3. That the Director of Public Safety or designee is hereby authorized to adopt and promulgate and to enforce rules and regulations relating to the implementation and administration of a Feline TNR Program.

Section 4. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. That this resolution shall be effective from the earliest period allowed by law.

Passed this 18th day of August 2022

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022

_____
Mayor

ORDINANCE NO. O-22-35

CHANGING THE ZONING OF REAL PROPERTY LOCATED ON COLUMBUS STREET IN THE CITY OF WILMINGTON, OHIO

WHEREAS, a certain petition has been filed by or on behalf of Wilmington Savings Bank to change the zoning of +/-0.179 acres more commonly known as 31 Columbus Street and being Parcel ID Number 290160103B00200 from TN (Traditional Neighborhood) to DT (Downtown Transition); and

WHEREAS, the City Planning Commission has reviewed said Petition on Tuesday, June 7, 2022, and has recommended that it be approved by City Council; and

WHEREAS, City Council held a public hearing on said Petition on July 21, 2022, at 7:30 p.m. after due publication of legal notice regarding the same, and upon hearing, it appears that said change ought to be made.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the real property described and set forth in the map and legal description attached hereto as **Exhibit A**, 290160103B00200, is currently zoned TN (Traditional Neighborhood), and that the same hereby is changed and rezoned from its current designation to DT (Downtown Transition).

Section 2. That the zoning map of the City of Wilmington is hereby amended accordingly.

Section 3. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance shall be in full force and effect at the earliest period allowed by law.

Passed this 18th day of August 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022.

_____
Mayor

Exhibit A
Ordinance O-22-35

SUBDIVISION LOT APPROVAL
Clinton Co. Engineers Map Department
Date: 2-9-12 PER: Uhaas
This Parcel is approved by Recorded
Plat Located in Plat Bk. A Page: 444

INDEXED

TRANSFERRED
This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.
FEE 27.35 EXEMPT
Terence G. Habermehl, Clinton Co. Auditor
Transfer Fee: 50 Date: 2-10-12
KDC

Doc ID: 001740120001 Type: OFF
Kind: DEED
Recorded: 02/10/2012 at 12:25:23 PM
Fee Amt: $28.00 Page 1 of 1
Clinton County, Ohio
Brenda J. Huff County Recorder
File# 2012-00000611
BK 826 PG 677

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **Harvey Florea Jr. also known as Harvey E. Florea and Doris Florea also known as Doris M. Florea,** husband and wife, the Grantors, of the State of Ohio, for valuable consideration paid, grant with general warranty covenants, to **The Wilmington Savings Bank**, the Grantee, whose tax-mailing address is 184 North South Street, Wilmington, Ohio 45177, the following real property:

Situate in the County of Clinton, State of Ohio and in the City of Wilmington, and further described as follows: **Being the east half of Lot Number Two (2) as designated on the recorded plat of Faulkner's Addition** to said City (formerly Village) of Wilmington, fronting on the north side of Columbus Street 2-3/4 poles and running back the same width 10½ poles to an alley, being 45 feet and 4½ inches wide.

(WSB (Florea, 31 Columbus St) RE 2011/mr)

SUBJECT TO all real property taxes and assessments now a lien upon said premises, the payment of which shall be prorated by the parties as of the date hereof.

Prior Instrument Reference: Volume 96, Page 557 Official Records of Clinton County, Ohio.

Both of the Grantors release all rights of dower therein.

Witness our hands this 6th day of February, 2012.

Harvey Florea
Harvey Florea Jr. also known as Harvey E. Florea

Doris M Florea
Doris Florea also known as Doris M. Florea

STATE OF OHIO, COUNTY OF CLINTON, ss:

The foregoing instrument was acknowledged before me this 6th day of February, 2012 by Harvey Florea Jr. also known as Harvey E. Florea and Doris Florea also known as Doris M. Florea, husband and wife.

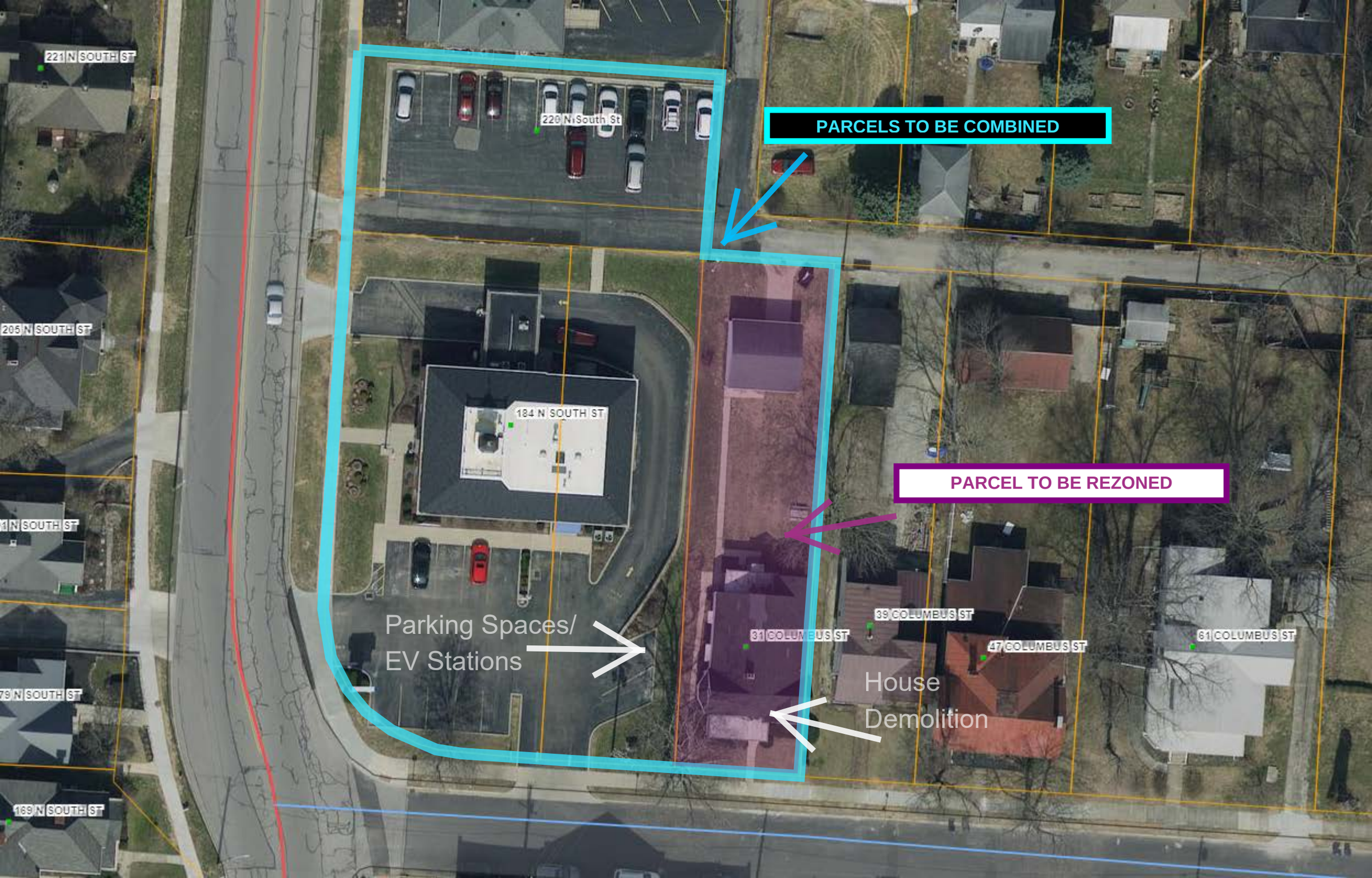
Mary Ellen Schneider
Notary Public

NOTARIAL SEAL STATE OF OHIO

MARY ELLEN SCHNEIDER
Notary Public, State of Ohio
My Commission Expires: Nov 7, 2016
Recorded in Clinton County

This instrument prepared by Jeffrey L. Wright of Buckley, Miller & Wright, Attorneys at Law, Wilmington, Ohio

(WSB, Florea purchase 31 Columbus St...deed RE 2011/mr)


PARCELS TO BE COMBINED
PARCEL TO BE REZONED
Parking Spaces/
EV Stations
House
Demolition
221 N SOUTH ST
220 N South St
205 N SOUTH ST
184 N SOUTH ST
79 N SOUTH ST
169 N SOUTH ST
39 COLUMBUS ST
31 COLUMBUS ST
47 COLUMBUS ST
61 COLUMBUS ST

ORDINANCE NO. O-22-36

AMENDING CERTAIN SECTIONS OF PART 11 – PLANNING AND ZONING CODE OF THE WILMINGTON CODIFIED ORDINANCES

WHEREAS, City Council desires to amend certain sections of PART 11 – PLANNING And ZONING CODE of the Wilmington Codified Ordinances; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

[Additions to the CODIFIED ORDINANCES are in **bold** and deletions are lined through or noted below]:

Section 1. That SECTION 1141.02 TABLE OF PRINCIPAL USES BY ZONING DISTRICT, PUBLIC AND INSTITUTIONAL USES be, and hereby is, amended to read in full as follows:

Land Uses	Zoning Districts										Site Plan Review Required (Yes, No, N/A)	Additional Standards
	Business			Mixed Use		Residential						
	LI	GI	SC	DC	DT	MF	MH	RR	SN	TN		
PUBLIC AND INSTITUTIONAL USES												
Active Parks, Playgrounds, and Recreational Facilities			C	C	C	C	C	C	C	C	Yes	
Cemeteries			P		P	P	P	P	P	P	Yes	
Churches and Places of Worship	C	C	P	P	P	C	C	C	C	C	Yes	
Community Garden	C	C	C	C	C	C	C	C	C	C	Yes	
Educational Institutions	C	C	P	P	P	C	C	C	C	C	Yes	
Educational Institutions, Higher	C	C	P	C	C					C	Yes	
Fraternal Organizations or Social Clubs	C	C	P	P	P	C	C	C	C	C	Yes	
Police or Fire Station	P	P	P	P	P	P	P	P	P	P	Yes	
Government Facilities	P	P	P	P	P	C	C	C	C	C	Yes	
Hospitals and Outpatient Centers			P		C						Yes	
Libraries or Cultural Centers			P	P	P	C	C	C	C	C	Yes	
Passive Parks, Open Space, and Conservation Areas	P	P	P	P	P	P	P	P	P	P	Yes	
Public Infrastructure	P	P	P	P	P	P	P	P	P	P	No	
Public Utilities	C	C	C	C	C	C	C	C	C	C	Yes	
Solar Panels	**P**	**P**						**P**				**Section 1141.03(s)**
Telecommunications Facility (New Facility/Tower)	C	C	C		C			C			Yes	Section 1141.03(i)(1)
Telecommunications Facility (Existing Tower Modification)	P	P	P	P	P	P	P	P	P	P	No	Section 1141.03(i)(2)
Telecommunications Facility (Small Cell Facility)	P	P	P	P	P	P	P	P	P	P	No	Section 1141.03(i)(3)

Section 2. That a new SECTION 1141.03(s) SOLAR PANELS be, and hereby is, added to 1141.03 USE-SPECIFIC STANDARDS to read in full as follows:

1141.03 USE SPECIFIC STANDARDS

(s) ***Solar panels.***

(1) Solar energy equipment shall be set back 20 feet from all property lines.

(2) Ground-mounted solar energy equipment shall be limited to a maximum height of ten feet and shall be screened from the public right-of-way.

(3) A ground-mounted solar energy system shall require a site plan review.

(4) Non-functioning solar energy equipment shall be removed within three months of becoming nonfunctional.

(5) The system's apparatus shall be properly maintained to prevent both unsightly and unsafe conditions.

Section 3. That SECTION 1151.05(a) PURPOSE AND INTENT of 1151.05 CONSERVATION DESIGN OPTION be, and hereby is, amended to read in full as follows:

SEC 1151.05 CONSERVATION DESIGN OPTION

(a) *Purpose and intent.* The Conservation Design Option (CDO) provides for and encourages flexible and creative development techniques aimed toward providing a natural and built environment that is both healthy and safe. The CDO is available to properties located in the Rural Residential (RR) and Suburban ~~Residential~~ **Neighborhood** (~~SR~~ **SN**) zoning districts, and is optional at the landowner/applicant's request. Developments utilizing this option shall undergo the major subdivision process (i.e. a subdivision involving extension of public or private streets) in accordance with the City of Wilmington Subdivision Regulations.

Section 4. That SECTION 1151.04 GENERAL STANDARDS of CHAPTER 1151 GENERAL PROVISIONS be, and hereby is, amended to read in full as follows:

1151.04 GENERAL STANDARDS

(l) *Fencing*.

(1) *Residential fencing*. The standards of this subsection (1) shall apply to properties which are exclusively used for residential. Within the side and rear yards, as depicted in Section 1151.03(f) (Yards), the maximum fence height shall be seven feet. Within the front yard, also depicted in Section 1151.03(f) (Yards), only ornamental fence designs are allowed and the maximum fence height shall be four feet. Fences may be erected along the boundaries of yards, or erected within yards.

(2) *Non-residential fencing*. Fencing locations and materials for non-residential uses shall be approved by **the Director of Public Service or designee. If the fence installation is part of site improvements that warrant Site Plan Review, the fencing location and materials shall be approved by** the Planning Commission as part of the site plan review process.

(3) *Prohibited fencing materials.* Barbed wire, razor wire, and electric fence are prohibited in SN (Suburban Neighborhood), TN (Traditional Neighborhood), DT (Downtown Transition), DC (Downtown Core), MF (Multi-Family), and MH (Manufactured Home Park) districts.

Section 5. That certain sections of Section 1159.03(e) DEVELOPMENT GUIDELINES of 1159.03 COMMERCIAL HISTORIC (H-1) OVERLAY DISTRICT be, and hereby are, amended to read as follows:

1159.03 COMMERCIAL HISTORIC (H-1) OVERLAY DISTRICT

(e) *Development guidelines.* In making a determination on an application for a certificate of appropriateness, the Planning Commission, **Zoning Administrator, or designee** shall consider the following:

(2) *Colors for buildings and signage*

b. Main body color. The more simple the building design, the fewer the number of colors should be used on it, but never more than three different colors on the same building **in addition to the main body color**. The main body of the building should be painted all the same color.

(5) *Sign design and placement*

(b) Prior to the installation or placement of a sign, the applicant must obtain both a certificate of appropriateness from the Planning Commission, **Zoning Administrator, or designee** for the sign as well as a sign permit (if applicable) from the Zoning Administrator. A sign permit will not be issued until the certificate of appropriateness is issued by the Planning Commission, **Zoning Administrator, or designee**.

Section 6. That SECTION 1165.08(c) REQUIRED PLANTINGS of 1165.08 OVERALL SITE LANDSCAPING be, and hereby is, amended to read in full as follows:

1165.08 OVERALL SITE LANDSCAPING

(c) *Required plantings*. Site landscaping shall be supplied in the amounts identified in the table below:

REQUIRED SITE LANDSCAPING PLANTINGS	
Principal Use Category	Required Plantings per Site
Agricultural Uses	No minimum required plantings
Residential Uses (Single-Family and Two-Family)	No minimum required plantings
Residential Uses (Multi-Family)	Eight canopy trees per acre and ~~four~~ **three** shrubs per ~~ten~~ **eighteen** feet of outer building perimeter **or as approved by the Planning Commission**
Public and Institutional Uses	Eight canopy trees per acre and ~~four~~ **three** shrubs per ~~ten~~ **eighteen** feet of outer building perimeter **or as approved by the Planning Commission**
Commercial Uses	Eight canopy trees per acre and ~~four~~ **three** shrubs per each ~~ten~~ **eighteen** feet of outer building perimeter **or as approved by the Planning Commission**
Industrial Uses	Eight canopy trees per acre and ~~three~~ **four** shrubs per each 18 feet of outer building perimeter **or as approved by the Planning Commission**

Section 7. That SECTION 1171.04(b)(1) OFF-STREET PARKING REQUIREMENTS, LOCATION OF PARKING SPACES of CHAPTER 1171 PARKING AND CIRCULATION be, and hereby is, amended to read as follows:

1171.03. – OFF-STREET PARKING REQUIREMENTS.

(b) *Rules for computation of required number of parking spaces*

(1) *Location of parking spaces.*

a. Parking spaces shall be located on the same lot as the principal use they serve unless the spaces meet the requirements of Section 1171.04(d) (Shared parking) and/or Section 1171.04(e) (Off-site parking).

b. On-street parking spaces may be counted toward off-street parking space requirements in the DC (Downtown Core) District provided the on-street parking spaces are located within 300 feet of the lot. In all other zoning districts, on-street parking spaces shall not be counted toward off-street parking space requirements.

c. *Parking in front and side lawns prohibited.* Parking spaces shall not be located on any lawn, grass or landscaped area in the front or side yards of a principal structure. Off-site parking spaces designated as shadow parking per Section 1171.04(f) are exempt from this section.

Section 8. That SECTION 1171.07(10) ACCESS STANDARDS of 1171.07 DESIGN STANDARDS FOR VEHICULAR USE be, and hereby is, amended to read in full as follows:

1171.07 DESIGN STANDARDS FOR VEHICULAR USE AREAS

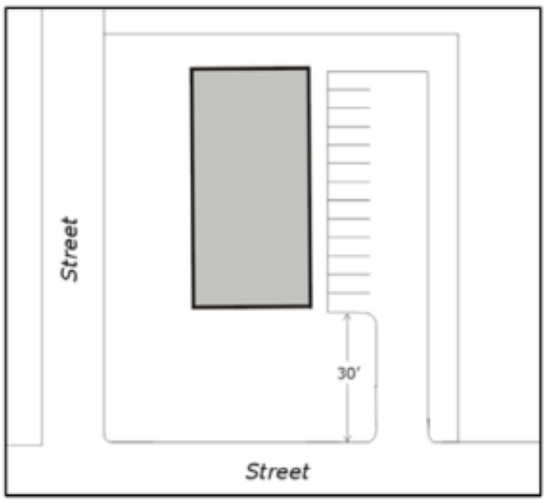
(10) *Access standards*

a. *Ingress and egress to a public right-of-way.* All required off-street parking or loading spaces shall be connected with a deeded public right-of-way by means of aisles or access driveways designed in accordance with the requirements of this section. Shared ingress and egress is strongly encouraged for multi-family and non-residential uses whenever possible and may be required if deemed necessary by the City Engineer or other appropriate authority. To the maximum extent feasible, provisions for primary access along secondary streets shall be provided to minimize traffic congestion on primary arterial streets.

b. *Setback requirements.*

1. All driveways shall be located at least two feet from side or rear property lines for all single-family and two-family residential properties and ten feet for all other land uses, excepting cases where a shared driveway with an associated access easement straddles two or more properties served by the driveway. Development within the DC (Downtown Core) District shall also be exempt from these requirements.

2. Off-street parking spaces shall not be located along entry driveways within 30 feet of the right-of-way (see illustration below). **Development in the DC (Downtown Core) and DT (Downtown Transition) shall be exempt from the requirement. In DC and DT districts, off-street parking setback along drive access from the public right-of-way shall be determined by the Director of Public Service, city engineer, or designee.**



3. Off-street parking spaces shall be set back a minimum of ten feet from any side or rear lot line, unless the lot abuts a residential zoning district or recorded residential subdivision, in which case the off-street parking shall be set back a minimum of 50 feet from the property line. **In DC (Downtown Core) and DT (Downtown Transition) districts, side or rear lot line off-street parking space setback requirements shall be determined by the Planning Commission as part of the site plan review process.**

c. *Maneuverability*. Except for single-family and two-family dwellings, all parking areas shall be so designed to ensure that all maneuvering into and out of each parking space shall take place entirely within property lines of lots, garages, and/or storage areas, and spaces shall not be designed in a manner which allows or requires vehicles to back into the public right-of-way to leave a parking space.

d. *Driveway width*. The width of a driveway (ingress/egress) for a multi-family or non-residential use, at the street right-of-way line, shall have a minimum width of 24 feet and maximum width of 36 feet, unless otherwise permitted by the City Engineer or other appropriate authority. Curb definitions shall be maintained, prohibiting continuous access along the frontage of a site.

e. *Access spacing*. No entrance to or exit from a parking area of five vehicles or more shall be closer than 100 feet to the right-of-way line of intersecting public streets or signalized intersection. Development in the DC (Downtown Core) and DT (Downtown Transition) Districts shall be exempt from this requirement.

Section 9. That SECTION 1173.09(b)(4) GROUND SIGNS of 1173.09 SIGNS IN MIXED USE DISTRICTS be, and hereby are, amended to read in full as follows:

1173.09 SIGNS IN MIXED USE DISTRICTS

(b) *Permanent sign provisions*

(4) *Ground signs*. Permanent ground signs shall comply with the following standards:

a. Signs shall be made of solid materials of a permanent nature known and used in the sign construction industry and shall include, but are not limited to: brick, stone, EIFS, polished or honed finish metals, decorative pre-cast concrete wood, architectural masonry, steel and/or metal, and glass.

b. Ground signs shall maintain clear zones for pedestrians and motorists and comply with the following:

1. Maintain a setback of ten feet from adjoining property lines and public right-of-way line(s);

2. Ten feet from the edge of any driveway; and

3. Five feet from any sidewalk or paved path.

c. Maximum sign height is six feet.

d. Maximum sign area is 32 square feet. For lots with multiple street frontages, the maximum sign area is cumulative and shall not be increased, but the owner may apply the maximum sign area to multiple signs with a maximum of one sign per street frontage.

e. Changeable copy signs are permitted in accordance with the standards in Section 1173.11 (Changeable copy signs). ~~Electronic LED display signs are permitted.~~

Section 10. That SECTION 1173.10(b)(3) GROUND SIGNS of 1173.10 SIGNS IN RESIDENTIAL DISTRICTS be, and hereby are, amended to read in full as follows:

1173.10 SIGNS IN RESIDENTIAL DISTRICTS

(b) *Permanent sign provisions*

(4) *Ground signs*. Permanent ground signs shall comply with the following standards:

a. No permanent ground sign may be erected on a single-family or two-family residential property, except as provided in Section 1143.04(m) (Home occupations).

b. Signs shall be made of solid materials of a permanent nature known and used in the sign construction industry and shall include, but are not limited to: brick, stone, EIFS, polished or honed finish metals, decorative pre-cast concrete, wood, architectural masonry, steel and/or metal, and glass.

c. Ground signs shall maintain clear zones for pedestrians and motorists and comply with the following:

1. Maintain a setback of ten feet from adjoining property lines and public right-of-way line(s);

2. Ten feet from the edge of any driveway; and

3. Five feet from any sidewalk or paved path.

d. Maximum sign height is six feet.

e. Maximum sign area is 24 square feet.

f. Changeable copy signs are permitted in accordance with the standards in Section 1173.11 (Changeable Copy Signs). ~~Electronic LED display signs are permitted.~~

g. Only concealed external light illumination shall be permitted, ~~excepting any LED displays~~. All other forms of internal illumination shall be prohibited.

Section 11. That SECTION 1179.02 FENCE, PICKET of CHAPTER 1179 DEFINITIONS be, and hereby is, amended to read in full as follows:

Fence, picket means a wooden**, vinyl, metal, or composite** fence made of spaced uprights connected by two or more horizontal rails.

Section 12. That each and every section of Part 11 – Planning and Zoning Code, of the Codified Ordinances, except those sections identified and amended in Sections 1 through 10 of this ordinance, are hereby ratified and republished and incorporated herein by reference as though fully rewritten herein.

Section 13. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 14. That this ordinance shall be effective from the earliest period allowed by law.

Passed this 18th day of August 2022

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022

_____
Mayor

RESOLUTION NO. R-22-41

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 REQUIRED; AND DECLARING AN EMERGENCY

WHEARAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the City of Wilmington is planning to make relocate a sewer line south of Peterson Place, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the Director of Public Service is hereby authorized to apply to the OPWC for funds as described above

Section 2. That the Director of Public Service is authorized to execute documents and take other actions in support of said application and to obtain and administer said funding if granted to the City of Wilmington.

Section 3. That this resolution is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and to meet application deadline, and shall be in full force and effect immediately upon its passage.

Passed this 18th day of August 2022.

_____
President of Council

ATTEST:

_____
Clerk of Council

Approved by me this 18th day of August 2022.

_____
Mayor