

MINUTES

Wilmington City Council

August 18, 2022

Wilmington City Council met in regular session on Thursday, August 18, 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, absent; N Eveland, present; M Purkey, present

J McKay moved to excuse the absent members (M Allbright). B Liermann seconded the motion.

Voice vote. Motion passed unanimously.

Absent member (M Allbright) excused.

Chief Fithen was present as Sergeant at Arms.

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

PRESIDENT OF COUNCIL

President McKay mentioned the passing of his brother, Doug McKay.

J McKay moved to accept the agenda. B Osborn seconded the motion.

Voice vote. Motion passed unanimously.

Agenda accepted.

Clerk Tacoronte pointed out corrections were made to the minutes, and a new draft copy was distributed.

N Eveland moved to approve the minutes of the August 4, 2022, City Council Meeting as corrected. J McKay seconded the motion.

Voice vote. Motion passed unanimously.

August 4, 2022, regular City Council minutes approved as presented.

President McKay announced a public hearing on September 15, 2022, regarding the TIF in Timber Glen Subdivision.

President McKay announced a public hearing on October 6, 2022, for rezoning of property located at 169 N South Street from DC (Downtown Core) to DT (Downtown Transition).

President McKay announced a public hearing on October 6, 2022, for rezoning of property located at 276 and 286 E Locust Street from TN (Traditional Neighborhood) to DT (Downtown Transition).

MAYOR

Mayor Stanforth announced that cameras are to be installed in the transit vehicles. He provided information on upcoming community events.

The mayor announced that City of Wilmington Source Water Protection Coordinator Travis Luncan was awarded Conservationist of the Year by the Warren County Soil and Water Conservation District.

Mayor Stanforth recognized City of Wilmington Dispatcher Terri Murphy for her outstanding work during the emergency events at the Wilmington Air Park. Chief Fithen explained Ms. Murphy was the sole dispatcher through the foam incident on Sunday, August 7, at the Air Park. She also was on duty when Wilmington Police were called to an active shooter incident the following Thursday. Terri Murphy was presented with a plaque of appreciation.

AUDITOR

Auditor Vance explained the Auditor's Certification of Hotel Lodging Tax will include payments out of the retained hotel lodging taxes. She also noted there are changes to the

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Auditor-Treasurer report because of the way their system is currently working. It is just an Auditor report.

SERVICE AND SAFETY DIRECTOR

Safety/Service Director Shidaker introduced Resolution R-22-35 Declaring surplus property, to wit: Wastewater equipment valued at more than \$1000, and Authorizing the disposition of said property.

Shidaker noted Administrative Assistant Samantha Miller has done a very good job of managing the city's surplus property program.

M Purkey moved to have the first reading on Resolution R-22-35 by title only. N Eveland seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-22-35 by title only

M Purkey moved to suspend the rules and regulations and have the second and third readings on Resolution R-22-35 by title only. N Eveland seconded the motion.

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

Director of Law read Resolution R-22-35 by title only.

M Purkey moved for passage of Resolution R-22-35. N Eveland seconded the motion.

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

Resolution R-22-35 passed as presented.

Shidaker introduced Resolution R-22-36 Accepting a grant from the Legacy Fund of the Clinton County Foundation; and Declaring an emergency. He explained the grant money would be used for paving of the path connector between the City parks and Davids Drive.

B Liermann moved to have the first reading on Resolution R-22-36 by title only. B Osborn seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-22-36 by title only

B Liermann moved to suspend the rules and regulations and have the second and third readings on Resolution R-22-36 by title only. B Osborn seconded the motion.

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

Director of Law read Resolution R-22-36 by title only.

B Liermann moved for passage of Resolution R-22-36. B Osborn seconded the motion.

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

Resolution R-22-36 passed as presented.

Shidaker announced there would be a road closure on North South Street in front of the public library and Galvin Park for one week starting August 22. Public Works Director Rick Schaffer explained the closure will be in the northbound lane while 1500 feet of storm sewer is replaced.

Shidaker noted there are new poles on North South Street but the signals may not be activated until after they finish the signal work on Rombach Avenue. The water line work on Mulberry is also completed.

Schaffer gave a presentation showing the aftereffects of the foam incident at the Air Park. Travis Luncan surveyed local waterways and documented where the foam had traveled. There was also evidence of fish kill because the foam removed the dissolved oxygen from the water. Schaffer explained that 99.9% of the foam had been reclaimed, and the small amount of foam found in the waterways did not affect the city's drinking water. He further explained that the EPA's new guidelines regarding the presence of

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PFAS from this type of foam is the reason why the city is limiting their use of the reservoirs. While the foam in the current incident is “new generation,” there are still concerns about its safety. Councilperson Snarr asked if there were alternatives to the foam. Schaffer said the city did not know yet, but he would keep council informed of any new developments in the regulations. He also said the city would be running off of Caesar Creek until it can figure out how to treat for PFAS. President McKay asked about the presence of algal bloom in Caesar Creek. Schaffer explained that the bloom was not bad this year, and the city had made upgrades to the plant that will allow it to safely treat any future algal blooms. There is also tower maintenance in process. N Eveland asked if there would be any problem with the line relocation on SR 73 with the city using a single water source. Schaffer explained the water line replacement process and said it would not be an issue.

COUNCIL COMMITTEE REPORTS AND ACTION

CITY REVITALIZATION COMMITTEE

J McKay said he had no report but encouraged everyone to look at the hotel lodging tax distributions.

CITY SERVICES COMMITTEE – No report.

FINANCE COMMITTEE

M Snarr presented Ordinance O-22-37 Making supplemental appropriations.

M Snarr moved to have the first reading on Ordinance O-22-37 by title only. B Osborn seconded the motion.

Discussion:

- a. From the available excess funds in the Taxi Fund to 211.390.5515 “Reserve Fund Capital Expenses” the sum of \$9,000.00
There was a discussion of the number of vehicles that would be purchased with these funds.
- b. From the available excess funds in the Sugar Grove Cemetery Fund to 580.500.5410 “Incidentals” the sum of \$8,275.44.
There was a discussion of this liability from the Sugar Grove Cemetery Association, which is no longer in existence. Auditor Vance explained all attempts to get rid of this bill have failed, so the city will pay it.
- 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
- i. From the available excess funds in the Waste Fund to 670.370.5313 “Collection Vehicle Gas Expense” the sum of \$45,000.00

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-22-37 by title only

M Snarr moved to suspend the rules and regulations and have the second and third readings on Ordinance O-22-37 by title only. B Osborn seconded the motion.

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

Director of Law read Ordinance O-22-37 by title only.

M Snarr moved for passage of Ordinance O-22-37. B Osborn seconded the motion.

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

Ordinance O-22-37 passed as presented.

M Snarr presented Ordinance O-22-38 Making Miscellaneous Transfers

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M Snarr moved to have the first reading on Ordinance O-22-38 by title only. J McKay seconded the motion.

Discussion:

- 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.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-22-38 by title only

M Snarr moved to suspend the rules and regulations and have the second and third readings on Ordinance O-22-38 by title only. J McKay seconded the motion.

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

Director of Law read Ordinance O-22-38 by title only.

M Snarr moved for passage of Ordinance O-22-38. J McKay seconded the motion.

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

Ordinance O-22-38 passed as presented.

M Snarr introduced Ordinance O-22-39 Establishing a New Fund.

M Snarr moved to have the first reading on Ordinance O-22-39 by title only. M Purkey seconded the motion.

Discussion:

- a. "ONEOHIO FUND"

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-22-39 by title only

M Snarr moved to suspend the rules and regulations and have the second and third readings on Ordinance O-22-39 by title only. M Purkey seconded the motion.

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

Director of Law read Ordinance O-22-39 by title only.

M Snarr moved for passage of Ordinance O-22-39. M Purkey seconded the motion.

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

Ordinance O-22-39 passed as presented.

M Snarr introduced Resolution R-22-37 Accepting Local Government Assistance Formula as provided by the Clinton County Auditor.

M Snarr moved to have the first reading on Resolution R-22-37 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-22-37 by title only

M Snarr moved to suspend the rules and regulations and have the second and third readings on Resolution R-22-37 by title only. J McKay seconded the motion.

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

Director of Law read Resolution R-22-37 by title only.

M Snarr moved for passage of Resolution R-22-37. J McKay seconded the motion.

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

Resolution R-22-37 passed as presented.

M Snarr introduced Resolution R-22-38 Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and

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certifying them to the County Auditor

M Snarr moved to have the first reading on Resolution R-22-38 by title only. B Liermann seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-22-38 by title only

M Snarr moved to suspend the rules and regulations and have the second and third readings on Resolution R-22-38 by title only. B Liermann seconded the motion.

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

Director of Law read Resolution R-22-38 by title only.

M Snarr moved for passage of Resolution R-22-38. B Liermann seconded the motion.

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

Resolution R-22-38 passed as presented.

M Snarr introduced Resolution 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

M Snarr moved to have the first reading on Resolution R-22-39 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-22-39 by title only

M Snarr requested the second and third readings be placed on the next regular council meeting agenda.

M Snarr introduced Resolution 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

M Snarr moved to have the first reading on Resolution R-22-40 by title only. B Osborn seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-22-40 by title only

M Snarr moved to suspend the rules and regulations and have the second and third readings on Resolution R-22-40 by title only. B Osborn seconded the motion.

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

Director of Law read Resolution R-22-40 by title only.

M Snarr moved for passage of Resolution R-22-40. B Liermann seconded the motion.

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

Resolution R-22-40 passed as presented.

JUDICIARY COMMITTEE

M Purkey presented Resolution 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.

M Purkey moved to have the third reading on Resolution R-22-32 by title only. J McKay seconded the motion.

Discussion: None.

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

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Director of Law read Resolution R-22-32 by title only

M Purkey moved for passage of Resolution R-22-32. J McKay seconded the motion. Roll call vote: Purkey, aye; McKay, aye; Snarr, aye; Liermann, aye; Osborn, aye; Eveland, aye. Motion passed.

Resolution R-22-32 passed as presented.

Members of Council thanked Administrative Assistant Samantha Miller for her work on the program. Mayor John Stanforth stated that he wanted to clarify his comments from the last council meeting. He said he is not against the program; in fact, he is very much in support of it. He does hope, however, that the program can be funded through organizations, grants, and members of the community working together. Council Member Purkey stated he thought discussions of program cost and funding opportunities could come later.

Purkey presented Ordinance O-22-35 Changing the zoning of real property located on Columbus Street in the City of Wilmington, Ohio

M Purkey moved to have the third reading on Ordinance O-22-35 by title only. J McKay seconded the motion.

Discussion: None.

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

Director of Law read Ordinance O-22-35 by title only

M Purkey moved for passage of Ordinance O-22-35. J McKay seconded the motion.

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

Ordinance O-22-35 passed as presented.

Purkey presented Ordinance O-22-36 Amending certain sections of Part 11 – Planning and Zoning Code of the Wilmington Codified Ordinances.

M Purkey moved to have the third reading on Ordinance O-22-36 by title only. M Snarr seconded the motion.

Discussion: None.

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

Director of Law read Ordinance O-22-36 by title only

M Purkey moved for passage of Ordinance O-22-36. B Liermann seconded the motion.

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

Ordinance O-22-36 passed as presented.

PUBLIC WORKS COMMITTEE

M Snarr introduced Resolution 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

Schaffer explained there is a sewer line behind Peterson Place that is exposed due to erosion, so a new line needs to be constructed. The new line will run diagonally through the Clinton Memorial Hospital parking area. The project is estimated to cost around \$400,000, with OPWC covering 80% of the costs. He also said the hospital has been great to work with through the planning process.

M Snarr moved to have the first reading on Resolution R-22-41 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-22-41 by title only

M Snarr moved to suspend the rules and regulations and have the second and third readings on Resolution R-22-41 by title only. J McKay seconded the motion.

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

Director of Law read Resolution R-22-41 by title only.

M Snarr moved for passage of Resolution R-22-41. B Liermann seconded the motion.

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

Resolution R-22-41 passed as presented.

REPORTS TO COUNCIL

M Purkey moved to accept the Auditor-Treasurer Report – July 2022 as presented. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Report accepted as presented.

M Purkey moved to accept the Hotel Lodging Tax Report – 2nd Quarter 2022 as presented. J McKay seconded the motion.

Discussion:

J McKay asked for clarification on a few of the expenditures. He said he would like more details about where the money was used. Auditor Vance said she did not have the details of the projects with her but offered to obtain that information for him.

Voice vote. Motion passed unanimously.

Report accepted as presented.

OPEN TO PUBLIC

M Purkey recognized the city safety personnel as well as everyone in the surrounding communities who came together during the gunman emergency on Thursday. N Eveland offered praise to the Wilmington News Journal for their coverage of the day's events, noting that he was out of town but was able to stay informed through the News Journal updates.

B Liermann spoke about the great contributions given to the community by Billy D Marine and George Bush. He said he had the honor to work for both of them in the past.

ADJOURNMENT

B Liermann moved to adjourn the meeting.

President M McKay declared the meeting adjourned at 8:58 p.m.

ATTEST:



President of Council



Clerk