

MINUTES

Wilmington City Council

January 19, 2023

Wilmington City Council met in regular session on Thursday, January 19, 2023, 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 Ron Fithen was present as Sergeant at Arms.

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

PRESIDENT OF COUNCIL

J McKay moved to accept the agenda as presented. B Liermann seconded the motion.

Voice vote. Motion passed unanimously.

Agenda accepted as presented.

M Purkey moved to approve the minutes of the January 5, 2023, regular City Council Meeting. B Osborn seconded the motion.

Voice vote. Motion passed unanimously.

January 5, 2023, regular City Council minutes approved.

President McKay presented Guidelines for Citizen Participation at City Council Meetings as follows:

GUIDELINES FOR CITIZEN PARTICIPATION AT CITY COUNCIL MEETINGS

The Open Meetings Act requires public bodies in Ohio to conduct all public business in open meetings that the public may attend and observe.

The City of Wilmington City Council also provides for a "Public Comment" period during regular council meetings (Wilmington C.O. 111.10 Rule 14).

To ensure City Council meetings remain professional and cordial for council members and visitors alike, members of the public attending Council meetings shall adhere to the following guidelines:

1. People who want to speak to Council are asked to sign in prior to or during meeting. When signing in, please include name, address, email address, and discussion topic.
2. All speakers must present from the podium and remarks should be directed to City Council as a whole (rather than to any particular member of Council). Remarks should not be directed to any member of staff or other audience members. Members of Council and Staff should be referred to by title and/or department.
3. Members of the audience may not join City Council discussion from their seats in the audience. If recognized by the President of Council, a member of audience may be invited to speak at the podium during the City Council discussion if the President of Council believes their comments are necessary or helpful for the City Council to continue their discussion or make their decision.
4. During the Public Comments portion of the meeting, each speaker is limited to **one period of three minutes**. The President of Council or Clerk of Council will notify the speaker when three minutes are up. Meeting attendees may not "donate" their speaking time to another person.
5. If the speaker has documents they wish to share with City Council that support their comments, they must present these items to the Clerk of Council for distribution.

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6. The Public Comments period of the meeting is provided for the public to share information and views, **not to engage Council or anyone else in conversations or debate**. The **three minutes** is strictly for the speaker to share their thoughts.
7. In many cases, the speaker may be directed to meet with staff to resolve issues or get their questions answered.
8. If a speaker's content is deemed disruptive (e.g., demeaning to others, includes profanity, etc.) the President of Council may terminate the person's remaining time immediately.

M Purkey moved to approve the Guidelines for Citizen Participation at City Council Meetings, as presented. B Liermann seconded the motion.

Voice vote. Motion passed unanimously.

Guidelines for Citizen Participation at City Council Meetings approved.

MAYOR

Mayor Stanforth said the condominium on South Mulberry was beginning. It was noted that the commercial portion of the project will be the first to be constructed, with residential in the next phase. The Mayor announced that SkyEnergy is installing multiple EV charging stations in the downtown area. The cost for installation of the charging stations is 100% covered through AES rebates, with no cost to taxpayer. The elevator project in the City building is underway and should be completed by the end of the next week.

Bryant McAfee with Omni Fiber gave a presentation on a project that will bring fiber to the premises to residences in the City of Wilmington.

AUDITOR

Auditor Vance said that landfill note legislation will be on the agenda for the next council meeting. Bond counsel is asking for three readings.

SERVICE AND SAFETY DIRECTOR

Public Works Director Rick Schaffer provided an update on the Phase 8 expansion at the city landfill. He explained it will cost approximately \$1 million and will be completed at the end of the summer. The city is currently one year ahead on the expansion schedule due to landfill filling more quickly than expected.

Schaffer provided an update on the Davids Drive construction project. The project is expected to begin in the spring and is funded through ODOT Small Cities and OPWC. During the construction, there will be a single lane of eastbound traffic maintained. The project starts at SR 134 and continues for approximately one mile of Davids Drive.

Schaffer introduced Resolution R-23-04 Expressing intent to sell city surplus items to the public through an on-line auction service and declaring an emergency. He explained this is an annual resolution.

M Purkey moved to have the first reading on Resolution R-23-04 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-04 by title only

M Purkey moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-04 by title only. J McKay seconded the motion.

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

Director of Law read Resolution R-23-04 by title only.

M Purkey moved for passage of Resolution R-23-04. J McKay seconded the motion.

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

Resolution R-23-04 passed as presented.

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COUNCIL COMMITTEE REPORTS AND ACTION

CITY REVITALIZATION COMMITTEE

J McKay noted the committee is working on legislation regarding the hotel lodging tax funds.

CITY SERVICES COMMITTEE

N Eveland introduced Resolution R-23-05 Giving consent of the City of Wilmington for the Ohio Department of Transportation to remove snow and ice and use snow and ice control material on state highways inside the city corporate limits. He explained they state was changing the length of the contract to match new regulations.

N Eveland moved to have the first reading on Resolution R-23-05 by title only. B Liermann seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-05 by title only.

N Eveland moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-05 by title only. B Liermann 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 Resolution R-23-05 by title only.

N Eveland moved for passage of Resolution R-23-05. B Liermann seconded the motion.

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

Resolution R-23-05 passed as presented.

FINANCE COMMITTEE

M Allbright introduced Ordinance O-23-02 Making Supplemental Appropriations.

M Allbright moved to have the first reading on Ordinance O-23-02 by title only. B Osborn seconded the motion.

Discussion:

- a) From the excess funds of the Sewer System Fund to 635.360.5416 "Sewer Rehab" the sum of \$4,000.00.
- b) From the excess funds of the Stormwater System Fund to 640.365.5416 "Stormwater Rehab" the sum of \$4,000.00
- c) From the excess funds of the Water System Fund to 605.350.5273 "Water Distribution Maintenance" the sum of \$4,000.00

It was noted that all supplementals were due to receipt of a grant.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-02 by title only.

M Allbright moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-02 by title only. B Osborn seconded the motion.

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

Director of Law read Ordinance O-23-02 by title only.

M Allbright moved for passage of Ordinance O-23-02. B Osborn seconded the motion.

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

Ordinance O-23-02 passed as presented.

JUDICIARY COMMITTEE

M Purkey presented Ordinance O-22-65 Authoring the Granting of Access Easement in the Southwind Subdivision.

M Purkey moved to have the third reading on Ordinance O-22-65 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-22-65 by title only.

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M Purkey moved for passage of Ordinance O-22-65. J McKay seconded the motion. Roll call vote: Purkey, aye; McKay, aye; Snarr, aye; Liermann, aye; Osborn, aye; Allbright, aye; Eveland, aye. Motion passed.
Ordinance O-22-65 passed as presented.

M Purkey presented Ordinance O-23-01 Amending Ordinance No. O-22-08 to increase wages under the Employee Pay Plan for calendar year 2023, and Declaring an emergency

Clerk Tacoronte said there was an update to the exhibit to better define the safety service probationary rates. M Purkey noted the exhibit provided was not updated, so council will do the second reading at this meeting and then have the third reading at the next meeting after members have a chance to review.

M Purkey moved to have the second reading on Ordinance O-23-01 by title only. M Allbright seconded the motion.

Discussion: None.

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-23-01 by title only.

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

M Purkey presented Resolution R-23-02 Adopting a revised City of Wilmington Public Records Policy.

M Purkey moved to have the second reading on Resolution R-23-02 by title only. M Allbright seconded the motion.

Discussion: None.

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

Director of Law read Resolution R-23-02 by title only.

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

M Purkey introduced Ordinance O-23-03 An Ordinance amending Section 111.10, Rules of Council. He explained that the change will allow council to amend the Order of Business at any time during the term, if they so choose.

M Purkey moved to have the first reading on Ordinance O-23-03 by title only. M Allbright seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-03 by title only.

M Purkey moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-03 by title only. M Allbright 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-23-03 by title only.

M Purkey moved for passage of Ordinance O-23-03. M Allbright seconded the motion.

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

Ordinance O-23-03 passed as presented.

M Purkey introduced Ordinance O-23-04 Amending certain sections of Chapter 133 - Employment Provisions of the Wilmington Codified Ordinances. The ordinance is to adjust the rate of shift differential to 10% of salary rather than a flat rate. The change is to put the city more in line with what other jurisdictions offer their overnight water plant employees.

M Purkey moved to have the first reading on Ordinance O-23-04 by title only. M Snarr seconded the motion.

Discussion: None.

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Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-04 by title only.

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

M Purkey introduced Ordinance O-23-05 Amending Certain Sections of Chapter 929 Water Rates of the Wilmington Codified Ordinances. This change extends the amount of time allowed to pay utility bills.

M Purkey moved to have the first reading on Ordinance O-23-05 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-05 by title only.

M Purkey moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-05 by title only. J McKay seconded the motion.

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

Director of Law read Ordinance O-23-05 by title only.

M Purkey moved for passage of Ordinance O-23-05. J McKay seconded the motion.

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

Ordinance O-23-05 passed as presented.

PUBLIC WORKS COMMITTEE

M Snarr introduced Resolution R-23-06 Authorizing the advertising for bids for construction of the Phase 8 Expansion at the Wilmington Sanitary Landfill; Authorizing the Director of Public service to enter into contract with the lowest and best bidder for same; and Declaring an emergency.

M Snarr moved to have the first reading on Resolution R-23-06 by title only. M Albright seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-06 by title only.

M Snarr moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-06 by title only. M Albright seconded the motion.

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

Director of Law read Resolution R-23-06 by title only.

M Snarr moved for passage of Resolution R-23-06. M Albright seconded the motion.

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

Resolution R-23-06 passed as presented.

M Snarr introduced Resolution R-23-07 Authorizing the Public Service/Safety Director to accept and enter into an H2Ohio Grant Agreement from the Ohio EPA on behalf of the City of Wilmington for water distribution system maintenance equipment; and Declaring an emergency.

M Snarr moved to have the first reading on Resolution R-23-07 by title only. M Purkey seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-07 by title only.

M Snarr moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-07 by title only. M Purkey seconded the motion.

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

Director of Law read Resolution R-23-07 by title only.

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M Snarr moved for passage of Resolution R-23-07. M Purkey seconded the motion.
Roll call vote: Liermann, aye; Osborn, aye; Allbright, aye; Eveland, aye; Purkey, aye; McKay, aye; Snarr, aye. Motion passed.
Resolution R-23-07 passed as presented.

M Snarr introduced Resolution R-23-08 A Resolution authorizing the Director of Public Service to apply for, accept, and enter into a Water Supply Revolving Loan Account (WSRLA) Agreement on behalf of the City of Wilmington for a PFAS Planning Study; and Designating a dedicated repayment source for the loan. M Snarr explained the study is necessary because of hazardous PFAS chemicals that have been detected in water sources near the airport. Schaffer added that the study is very expensive.

M Snarr moved to have the first reading on Resolution R-23-08 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-08 by title only.

M Snarr moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-08 by title only. J McKay seconded the motion.

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

Director of Law read Resolution R-23-08 by title only.

M Snarr moved for passage of Resolution R-23-08. J McKay seconded the motion.

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

Resolution R-23-08 passed as presented.

REPORTS TO COUNCIL

M Purkey moved to accept the following reports, as presented:

- a. Auditor Fund Report – December 2022
- b. Treasurer Statement of Interest Earned – Second six months 2022
- c. Treasurer Statement of Interest Earned – Twelve months 2022
- d. 2022 Clinton County Municipal Court Operations Report

B Osborn seconded the motion.

Voice vote. Motion passed unanimously.

Reports accepted as presented.

OPEN TO PUBLIC

Terry Thompson. Subject: Hypodermic needles in public areas and issues with crime in community.

Dustin Pierce. Subject: Makeshark Website Design and RealChange Wilmington

Pay Thompson. Subject: EV Charging stations, council order of business, utility billing.

Greg Pitzer. Subject: Investigation into the death of his daughter, Casey Pitzer.

Darrell Petrey. Subject: Investigation into the death of Casey Pitzer.

Jason Stoops. Subject: Needle exchange programs.

ADJOURNMENT

B Liermann moved to adjourn the meeting.

President M McKay declared the meeting adjourned at 8:52 p.m.

ATTEST:



President of Council



Clerk