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Wilmington City Council

February 2, 2023

Wilmington City Council met in regular session on Thursday, February 2, 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

Neil Rager 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 19, 2023, regular City Council Meeting. B Osborn seconded the motion.

Voice vote. Motion passed unanimously.

January 19, 2023, regular City Council minutes approved.

President McKay announced a public hearing on March 2, 2023, on a Petition for a Planned Unit Development (PUD) of 28.60 acres (more or less) more commonly known as 1057 N. Lincoln Street.

MAYOR

Mayor Stanforth performed a swearing in ceremony for Sgt. William Foster, Ptl. Thomas Couch, and Ptl. Kelly Grogan of the Wilmington Police Department.

Mayor Stanforth presented the State of the City report as follows:

In 2022, Wilmington residents witnessed a flurry of construction activity, including rebuilding Rombach Avenue, improved downtown pedestrian crosswalks and traffic flow, Airborne Road paving, new bike & walking trails, rehabilitation of city water reservoirs and the Mulberry waterline, sidewalk and paving initiative.

The value of these projects totaled \$19.5 million, more than 78 percent of which was financed by grants, fulfilling a promise I made to taxpayers to leverage local taxes with available state and federal funds.

Our code enforcement department experienced its busiest time in decades, cleaning up problem areas of the city. Working with property owners to fix more than 250 serious code violations, and organizing city-wide clean up initiatives, our code enforcement continues working hard to reduce blight to discourage petty crime and vandalism -- problems that remain stubbornly difficult to resolve.

Our police and fire departments continued important growth in 2022. Our 911 call emergency center added needed dispatchers, and our police and fire departments operated with the full staffing authorized by City Council. In addition to an active shooter situation in 2022 and serving many high-threat search warrants, our police department fully engaged in a community-wide effort to find solutions to our homeless and vagrancy issues that have plagued the city for decades.

In 2022, the city experienced many changes in leadership, welcoming Jessica Powell as director of transit and Brad Reynolds as human resources director. Promotions included Ronald Fithen to serve as chief of police, Steve Honeycutt to wastewater superintendent, Adam Simpson to water superintendent, Kirby Keltner to cemetery superintendent, and Andrea Tacoronte to deputy service director. We have assembled a great team of hard-working, conscientious

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people tasked with providing excellent service to citizens while keeping a watchful eye on budgets and spending.

The city also experienced a surge of growth in private sector investment in 2022. Fourteen new single-family homes were started in 2022, with nearly 400 more ready for construction or planned. Existing businesses, including Polaris, finished major expansions. Healthsource of Ohio launched a major expansion downtown, and the General Denver Hotel constructed an addition with a rooftop deck. We have a new Kettering healthcare facility under construction on Rombach and a new Chipotle restaurant.

When I embarked on this journey with the citizens of Wilmington in 2016, the city was in a very different place. I ran on a platform of better roads, more code enforcement, and strong safety services. And to that end, the citizens of Wilmington put their trust in us by agreeing to share their hard-earned money in the form of an earnings tax. They did this with the hope that we would do what we promised.

I believe we have done just that. Our growth in 2022 is a direct result of important work during the last seven years. Strong police and fire services, tidier neighborhoods, removal of blighted properties, better roads and improved infrastructure, extensive trail systems, and hardworking and helpful public servants all help to create a community that draws economic development.

This growth is also built on the shoulders of leaders that came before us. This year, we entered into a major water sales contract with Fayette County in support of the new Honda battery plant in Jeffersonville. This was only possible because earlier city leaders; among them Nick Eveland, David Raizk, Bob Holmes, David Hockaday, Tom McMillan, and others; had the vision of a regional water supply from Caesar Creek Lake. This contract with Fayette County will forever improve the financial picture of Wilmington's water department.

As pleased as I am with our work in 2022, I am also excited about what's ahead in 2023. In the spring, we will begin rehabilitation of Davids Drive, one of the largest road projects in recent memory. This ODOT-let project will rebuild Davids Drive from the base up. The first phase (approximately one mile of road) is estimated to cost \$3.1 million. Service Director Brian Shidaker and his team have procured funding to cover the first phase. The rest of Davids Drive is estimated to cost an additional \$6.6 million, and we are actively securing funding now. Davids Drive is a major economic corridor for the city, and its restoration represents a key feature for growing new jobs and opportunities. The city will also break ground on the new wastewater treatment plant in 2023. The new facility will provide more sewer capacity and enable us to stay compliant with increasingly stringent EPA requirements. The additional sewer capacity will also be an economic driver for the city and county.

In 2022, we also saw a significant increase in citizen participation in our governance, a very hopeful sign for our future. In 2023, city leaders will begin work with the Clinton County Regional Planning Commission and residents in the Grant and Douglas Street neighborhood to focus on a major revitalization project grant. The Clinton County Coalition on Homelessness, the Wilmington Ministerial Association, the Wilmington Police Department, along with citizen watch groups are actively working to find ways to remedy problems associated with homelessness and vagrancy. Volunteers participating in the Clean Up Wilmington initiative started by our code enforcement department have done an impressive amount of trash pickup and beautification throughout the city. When we all work together, we can accomplish great things.

The contributions of our employees to this community have not gone unnoticed. On January 25, Code Enforcement Official Annen Vance and Chief of Police Ron Fithen were presented C4 Awards in the Government/Public Service category. Congratulations to these fine employees on this well-deserved recognition.

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As we enter 2023, I feel confident that our growth trend will continue. I am proud of who we are, what we have accomplished this year, and what we are prepared to do together. I want to personally thank city employees, city council and other elected officials, our dedicated civic organizations, churches, and street ministries and our citizens for your part in making 2022 a great year. We still have much to do, but we are up to the task.

Let's get to work.

AUDITOR

Auditor Vance had no report.

SERVICE AND SAFETY DIRECTOR

Service and Safety Director Brian Shidaker had no report.

COUNCIL COMMITTEE REPORTS AND ACTION

CITY REVITALIZATION COMMITTEE

J McKay introduced Resolution R-22-09 Establishing a City Revitalization Grant Review Committee; Authorizing said committee to adopt an application guide for the City Revitalization Grant Program. He explained the legislation provides for a committee to manage grant payments to non-profits and government entities out of hotel lodging tax. The committee will consist of representatives from the Auditor, Mayor, and Clinton County Regional Planning.

J McKay moved to have the first reading on Resolution R-22-09 by title only. M Purkey seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-22-09 by title only.

J McKay requested the second and third readings be on the agenda for the next regular council meeting.

CITY SERVICES COMMITTEE

N Eveland stated he had no legislation but mentioned that he had spoken to officials at the county and they are anxious to have the handicapped parking area in front of the courthouse completed.

FINANCE COMMITTEE

M Allbright introduced Ordinance O-23-06 An Ordinance providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$1,150,000, in anticipation of the issuance of bonds, for the purpose of paying at maturity, together with other lawfully available funds of the city, the city's outstanding Series 2022 Landfill Notes, and paying related lawful costs of issuance; authorizing a Purchase Agreement and a Registrar Agreement; and Declaring an emergency

Auditor Vance provided an explanation of bond anticipation notes. She also said that Councilman Osborn pointed out a typographical error in the legislation where the percentage rate was listed as both five percent and four percent. She said they would change that to five percent, although the figure is more of a placeholder.

M Allbright moved to have the first reading on Ordinance O-23-06 by title only. B Osborn seconded the motion.

Discussion:

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-06 by title only.

M Allbright moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-06 by title only. B Osborn seconded the motion.

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

Director of Law read Ordinance O-23-06 by title only.

M Allbright moved for passage of Ordinance O-23-06. B Osborn seconded the motion.

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

Ordinance O-23-06 passed as presented.

JUDICIARY COMMITTEE

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

M Purkey moved to have the third reading on Ordinance O-23-01 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-01 by title only.

M Purkey moved for passage of Ordinance O-23-01. J McKay seconded the motion.

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

Ordinance O-23-01 passed as presented.

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

M Purkey moved to have the third reading on Resolution R-23-02 by title only. B Liermann seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

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

M Purkey moved for passage of Resolution R-23-02. 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-23-02 passed as presented.

M Purkey presented Ordinance O-23-04 Amending certain sections of Chapter 133 - Employment Provisions of the Wilmington Codified Ordinances. He explained the ordinance addresses shift differentials.

M Purkey moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-04 by title only. B Osborn seconded the motion.

Discussion: None.

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

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

M Purkey moved for passage of Ordinance O-23-04. B Osborn seconded the motion.

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

Ordinance O-23-04 passed as presented.

M Purkey introduced Ordinance O-23-07 Amending certain sections of Chapter 935 Cemetery Rules and Regulations of the Wilmington Codified Ordinances. He explained the legislation allows for a columbarium, all pets must be kept on a leash, and provides for certain decisions to be made by a designee of the Director of Public Service.

M Purkey moved to have the first reading on Ordinance O-23-07 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-07 by title only.

M Purkey asked that the second and third readings of Ordinance O-23-07 be placed on the agenda for the next regular council meeting.

M Purkey introduced Ordinance O-23-08 Amending certain sections of Chapter 937 Indigent Burial Policy of the Wilmington Codified Ordinances. He explained that the legislation brings

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ordinances in line with City policy not to release ashes to families of persons buried through the indigent burial program and allows for the cemetery to place a granite marker at the grave.

M Purkey moved to have the first reading on Ordinance O-23-08 by title only. M Allbright seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-08 by title only.

M Purkey asked that the second and third readings of Ordinance O-23-08 be placed on the agenda for the next regular council meeting.

M Purkey introduced for discussion only a draft of an Ordinance Amending certain sections and adding certain sections to Chapter 505 Animals and Fowl of the City of Wilmington Codified Ordinances. He explained this ordinance removes language from Chapter 505 that does not match our current policies and procedures. In addition, the legislation allows for the creation of an Animal Welfare Program and allows for certain activities under that program. He asked that council members review the legislation and said it will be brought forth for consideration at the next council meeting.

PUBLIC WORKS COMMITTEE

M Snarr had no report.

REPORTS TO COUNCIL

M Purkey moved to accept the Income Tax Report – January 2023, as presented. B Osborn seconded the motion.

Voice vote. Motion passed unanimously.

Reports accepted as presented.

OPEN TO PUBLIC

Jamie Knowles. Subject: Traffic in Denver Addition (specifically Kathryn Drive), and perpetual care in Sugar Grove Cemetery.

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

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

EXECUTIVE SESSION

M Purkey moved to enter executive session under Section 121.22(G)(1) - To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

N Eveland seconded the motion.

Discussion: It was noted that no legislation or action would be held after the Executive Session.

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

Council entered executive session at 8:35 p.m.

Council returned to regular session at 8:52 p.m.

ADJOURNMENT

B Liermann moved to adjourn the meeting.

President M McKay declared the meeting adjourned at 8:53 p.m.

ATTEST:



President of Council



Clerk