

MINUTES

Wilmington City Council

February 16, 2023

Wilmington City Council met in regular session on Thursday, February 16, 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, absent; M Purkey, present.

J McKay moved to excuse the absent member (Eveland). B Liermann seconded the motion.

Voice vote. Motion passed unanimously.

Absent member excused.

Chief Fithen was present as Sergeant at Arms.

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

PRESIDENT OF COUNCIL

M Purkey moved to accept the agenda as presented. B Liermann seconded the motion.

Voice vote. Motion passed unanimously.

Agenda accepted as presented.

J McKay moved to approve the minutes of the February 2, 2023, regular City Council Meeting. B Osborn seconded the motion.

Voice vote. Motion passed unanimously.

February 2, 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 stated that a case has been filed against the City regarding the records of the Casey Pitzer death case. Public officials will not be able to provide comment until the case is resolved.

The mayor provided a list of community events, highlighting and religious organizations that are providing special meals during the season of Lent.

Mayor Stanforth said that the office had received questions regarding the railroad derailment in East Palestine, Ohio. He noted that the incident in northeast Ohio would not have any effect on the city's water supply.

The mayor congratulated Deanna Liermann and Andrea Tacoronte on being named Outstanding Women of Clinton County.

AUDITOR

Auditor Vance had no report.

SERVICE AND SAFETY DIRECTOR

Service/Safety Director Brian Shidaker gave a presentation on an upcoming pedestrian safety project providing enhanced pedestrian crossings in several locations throughout the city. The is currently putting in an application for funding for the project.

Shidaker introduced Resolution R-23-10 Authorizing the Director of Public Service to execute LPA Federal Local-Let Project Agreement No. 28000 and all necessary documents with ODOT for the CLI Wilmington Crossing FY23, PID 117146. He explained this was for the Wilmington Crossings project.

M Purkey moved to have the first reading on Resolution R-23-10 by title only. B Liermann seconded the motion.

MINUTES

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-10 by title only

M Purkey moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-10 by title only. B Liermann seconded the motion.

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

Director of Law read Resolution R-23-10 by title only.

M Purkey moved for passage of Resolution R-23-10. B Liermann seconded the motion.

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

Resolution R-23-10 passed as presented.

Shidaker introduced Resolution R-23-11 Authorizing advertising for bids for the Rombach/Elizabeth Lane Traffic Signal Construction Project; Authorizing the Director of Public Service to enter into contract with the lowest and best bidder; Authorizing expenditure of funds for same; and Declaring an emergency. He explained this bid was for the construction portion of the signal. The materials have already been procured.

J McKay moved to have the first reading on Resolution R-23-11 by title only. B Liermann seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-11 by title only

J McKay moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-11 by title only. B Liermann seconded the motion.

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

Director of Law read Resolution R-23-11 by title only.

J McKay moved for passage of Resolution R-23-11. B Liermann seconded the motion.

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

Resolution R-23-11 passed as presented.

Shidaker introduced Resolution R-23-12 Accepting a Jobs & Commerce Grant from the Ohio Department of Transportation in support of the CLI Rombach & Elizabeth Signal; Authorizing the mayor to execute documents; and Declaring an emergency. He explained the city had been awarded up to \$45,000 to help with the construction costs of the Elizabeth Lane signal.

J McKay moved to have the first reading on Resolution R-23-12 by title only. B Osborn seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-12 by title only

J McKay moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-12 by title only. B Osborn seconded the motion.

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

Director of Law read Resolution R-23-12 by title only.

J McKay moved for passage of Resolution R-23-12. B Osborn seconded the motion.

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

Resolution R-23-12 passed as presented.

COUNCIL COMMITTEE REPORTS AND ACTION

CITY REVITALIZATION COMMITTEE

MINUTES

J McKay presented Resolution R-23-09 Establishing a City Revitalization Grant Review Committee; Authorizing said committee to adopt an application guide for the City Revitalization Grant Program. He explained this would allow a committee consisting of designees from each of the mayor, the auditor, and the director of Clinton County Regional Planning to administrate grants from the Retained Hotel Lodging Tax funds.

J McKay moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-09 by title only. M Allbright seconded the motion.

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

Director of Law read Resolution R-23-09 by title only.

J McKay moved for passage of Resolution R-23-09. M Allbright seconded the motion.

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

Resolution R-23-09 passed as presented.

CITY SERVICES COMMITTEE

There was no report.

FINANCE COMMITTEE

M Allbright introduced Ordinance O-23-10 Making Supplemental Appropriations.

M Allbright moved to have the first reading on Ordinance O-23-10 by title only. J McKay seconded the motion.

Discussion:

- a) From the excess funds of the Cemetery Fund to 580.500.5512 "Capital Equipment - Cemetery" the sum of \$65,000.00.
- b) From the excess funds of the Waste Fund to 670.370.5512 "Capital Equipment" the sum of \$90,000.00

M Allbright explained that the supplementals were to purchase a truck for Sugar Grove Cemetery and to replace a tractor and drag scraper that were stolen from the landfill in 2022. The city will receive an insurance payment of approximately \$53,000 (the value of the stolen equipment) to offset the cost of the replacement.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-10 by title only.

M Allbright moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-10 by title only. J McKay seconded the motion.

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

Director of Law read Ordinance O-23-10 by title only.

M Allbright moved for passage of Ordinance O-23-10. J McKay seconded the motion.

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

Ordinance O-23-10 passed as presented.

JUDICIARY COMMITTEE

M Purkey presented Ordinance O-23-07 Amending certain sections of Chapter 935 Cemetery Rules and Regulations of the Wilmington Codified Ordinances.

M Purkey moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-07 by title only. J McKay seconded the motion.

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

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

M Purkey moved for passage of Ordinance O-23-07. J McKay seconded the motion.

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

Ordinance O-23-07 passed as presented.

MINUTES

M Purkey presented Ordinance O-23-08 Amending certain sections of Chapter 937 Indigent Burial Policy of the Wilmington Codified Ordinances.

M Purkey moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-08 by title only. B Osborn seconded the motion.

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

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

M Purkey moved for passage of Ordinance O-23-08. B Osborn seconded the motion.

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

Ordinance O-23-08 passed as presented.

M Purkey introduced O-23-09 Amending certain sections and adding certain sections to Chapter 505 Animals and Fowl of the City of Wilmington Codified Ordinances. He explained the ordinance defines an animal welfare program such as a feline Trap/Neuter/Return initiative. He also explained that it removes certain language from the ordinance that is obsolete.

M Purkey moved to have the first reading on Ordinance O-23-09 by title only. M Allbright seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-09 by title only.

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

M Purkey introduced Ordinance O-23-11 An Ordinance to amend the codified ordinances of the City of Wilmington, Ohio, to provide amendments to certain sections of Part Three – Traffic Code; To provide for codification; To provide for supplementation; To provide for penalties; To provide for severability; To provide for the repeal of conflicting ordinances; To provide an effective date; and For other purposes. He explained this legislation brings the Wilmington Codified Ordinances in line with changes to the Traffic Code in the Ohio Revised Code.

M Purkey moved to have the first reading on Ordinance O-23-11 by title only. M Snarr seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-11 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-23-12 An Ordinance to amend the codified ordinances of the City of Wilmington, Ohio, to provide amendments, deletions and repeal to certain sections of Part Five – General Offenses Code; To provide for codification; To provide for supplementation; To provide for penalties; To provide for severability; To provide for the repeal of conflicting ordinances; To provide an effective date; and For other purposes. He explained this legislation brings the Wilmington Codified Ordinances in line with changes to the General Offenses Code in the Ohio Revised Code.

M Purkey moved to have the first reading on Ordinance O-23-12 by title only. J McKay seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-12 by title only.

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

PUBLIC WORKS COMMITTEE

MINUTES

M Snarr had no report.

REPORTS TO COUNCIL

J McKay moved to accept the Auditor Report – January 2023, and the Auditor's Certification Hotel Lodging Tax – 4th Quarter 2022 as presented. M Allbright seconded the motion.

Voice vote. Motion passed unanimously.

Reports accepted as presented.

OPEN TO PUBLIC

Jonda Towner. 563 John Chambers Drive. Subject: Concern about vagrancy.

Jason Stoops. 118 S Mulberry Street. Subject: Vagrancy and creation of response team.

Tony Thomas. 204 Fisher Street. Subject: Public records.

Greg Pitzer. 116 Commons Lane. Subject: Death of Casey Pitzer.

Darrell Petrey. 515 SR 350, Clarksville. Subject: Public records.

EXECUTIVE SESSIONS

M Purkey moved to enter executive session under Section 121.22(G)(1) - To consider the dismissal, discipline, or demotion of a public employee or official, or the investigation of charges or complaints against a public employee.

B Liermann seconded the motion.

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

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

Council entered executive session at 8:17 p.m.

Council returned to regular session at 8:24 p.m.

M Purkey moved to enter executive session under Section 121.22(G)(3) – Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

J McKay seconded the motion.

Discussion: None.

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

Council entered executive session at 8:25 p.m.


Council returned to regular session at 8:38 p.m.

ADJOURNMENT


B Liermann moved to adjourn the meeting.

President M McKay declared the meeting adjourned at 8:39 p.m.

ATTEST:



President of Council



Clerk