

MINUTES

Wilmington City Council

April 20, 2023

Wilmington City Council met in regular session on Thursday, April 20, 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 Fithen was present as Sergeant at Arms.

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

PRESIDENT OF COUNCIL

M Purkey asked that the agenda be amended to add subsection "b" under Item 16, Executive Session" to allow for approval for the city to enter into an agreement based upon what happens within the executive session.

J McKay moved to accept the agenda as amended. M Purkey seconded the motion.

Discussion: none.

Voice vote: Motion passed unanimously.

Agenda accepted as amended.

J McKay moved to approve the minutes of the April 6, 2023, regular City Council Meeting. B Liermann seconded the motion.

Voice vote. Motion passed unanimously.

April 20, 2023, regular City Council minutes approved.

MAYOR

Mayor John Stanforth introduced Tim Wiederhold to speak about the Wilmington City School levy.

Tim Wiederhold, Committee Chair for WCS School Levy, spoke on behalf of the 0.75% income tax levy.

Mayor Stanforth provided a list of community events including the clean up day on Earth Day, April 22, the Blue Goose Spring Market, the Job and Community Resource Fair on May 4, the opening of Clinton County Farmer's Market for the season on May 13, and the upcoming household hazardous materials event. He mentioned that the Code Enforcement report for April was available. He thanked Sherry McIntosh for framing the housing issues at the last council meeting. The mayor went on to condemn the language and threats implied in an anonymous letter recently left at the door of Sugartree Ministries.

AUDITOR

In the absence of Auditor Mary Kay Vance, there was no report.

SERVICE AND SAFETY DIRECTOR

Service and Safety Director Brian Shidaker introduced Resolution R-23-18 A Resolution authorizing participation in the ODOT Road Salt Contracts awarded in 2023, and declaring an emergency. Shidaker explained that the city has around 1700 tons of salt in the barn right now and will ask for 1200 tons for next year. Last year the price was \$81.79/ton.

M Purkey moved to have the first reading on Resolution R-23-18 by title only. B Liermann seconded the motion.

Discussion: None.

Voice vote. Motion passed unanimously.

Director of Law read Resolution R-23-18 by title only.

M Purkey moved to suspend the rules and regulations and have the second and third readings on Resolution R-23-18 by title only. B Liermann seconded the motion.

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

MINUTES

Director of Law read Resolution R-23-18 by title only.

M Purkey moved for passage of Resolution R-23-18. B Liermann seconded the motion. Roll call vote: Snarr, aye; Liermann, aye; Osborn, aye; Allbright, aye; Eveland, aye; Purkey, aye; McKay, aye. Motion passed.

Resolution R-23-18 passed as presented.

Service Director Shidaker said he would inform the council of the salt pricing once the bids come in.

COUNCIL COMMITTEE REPORTS AND ACTION

CITY REVITALIZATION COMMITTEE

J McKay had no report.

CITY SERVICES COMMITTEE

N Eveland reported that he went to a public meeting on the Wilmington Transit Service that was very informative. There will be another one in the future. B Liermann mentioned that the Rombach project is going pretty well, but he has heard some concerns from citizens, and he would like to discuss this in committee. He said there are concerns of the speed near the car wash and people turning in front of oncoming traffic. He also said he wondered if there was a possibility of putting in rumble strips. He suggested they might put up the speed limit warning signs.

M Purkey asked if City Council could have an update on the project at the next meeting.

Don Wells was recognized as a speaker from the audience. He said that the railroad track by the crossing at UDF is terrible.

FINANCE COMMITTEE

M Allbright introduced Ordinance O-23-18 Making Supplemental Appropriations.

M Allbright moved to have the first reading on Ordinance O-23-18 by title only. B Osborn seconded the motion.

Discussion:

- a) From the available excess funds of the General Fund to 110.120.5253 "Update Codified Ordinances" the sum of \$3,000.00.
- b) From the available excess funds of the General Fund to 110.122.5234 "Bldg Dept – Inspection Consultant Services" the sum of \$6,000.00

Voice vote. Motion passed unanimously.

Director of Law read Ordinance O-23-18 by title only.

M Allbright moved to suspend the rules and regulations and have the second and third readings on Ordinance O-23-18 by title only. B Osborn 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-23-18 by title only.

M Allbright moved for passage of Ordinance O-23-18. B Osborn seconded the motion. Roll call vote: Osborn, aye; Allbright, aye; Eveland, aye; Purkey, aye; McKay, aye; Snarr, aye; Liermann, aye. Motion passed.

Ordinance O-23-18 passed as presented.

JUDICIARY COMMITTEE

M Purkey had no report. He mentioned that the Annual Rate Review Report will be delayed until the city receives interest rates on the Wastewater Treatment Plant project.

PUBLIC WORKS COMMITTEE

M Snarr had no report.

REPORTS TO COUNCIL

J McKay moved to accept the Auditor Report – March 2023, as presented. B Liermann seconded the motion.

Voice vote. Motion passed unanimously.

Reports accepted as presented.

MINUTES

OPEN TO PUBLIC

B Liermann asked action to be taken to support the school levy on May 2.

B Liermann moved to make a resolution of intent to support the Wilmington City Schools. M Allbright seconded the motion.

Voice vote. Motion passed unanimously.

Resolution of Intent to support the WCS School levy passed.

Jason Stoop – 188 S Mulberry Street. Described an incident where an elderly man was left near Sugartree Ministry by the Sheriff's Department on Sunday morning.

Jane Johns – 3537 S. Beechgrove Rd. Spoke about the city's policy on employees' use of social media and violations of Sunshine Laws on social media.

Dustin Pearce – 276 W Locust. Spoke on supporting the local schools through the levy and how to engage in the community in a positive way.

Jack Stauffer – 3630 Middleboro Rd., Morrow OH. Spoke about concerns in the recent bidding process for the Landfill Expansion Phase 8 project.

Shelley Knowles – 550 Brooke Blvd. Posed questions about how littering, public intoxication, and open container ordinances are enforced.

Tony Thomas – No address provided. Complained about city spending practices. Thomas turned and spoke to the audience and was gaveled by President McKay and asked to only address members of council and to refrain from making verbal attacks on elected officials. After a brief argument with the President of Council, Mr. Thomas was removed from council chambers by the Sergeant at Arms.

Chief Ron Fithen repeated the rules for citizen participation at council meetings, explaining there is a three-minute time limit, and no one has the right to verbally attack others at the meeting. He further said that violators will be removed from the meeting and be charged with a fourth-degree misdemeanor for disruption of a public meeting.

Greg Pitzer spoke out from the audience and was gaveled for interrupting the meeting. Mr. Pitzer then argued with the Chief of Police and President of Council. He was removed from council chambers by the Sergeant at Arms.

Darrell Petrey – SR 350 - Stated concerns about the City not releasing records in the death of Casey Pitzer. He then accused the mayor of whitewashing two murders of citizens in Clinton County. President of Council gaveled Mr. Petrey, saying he was verbally attacking others. When Mr. Petrey resumed his statements, President of Council gaveled again, and the Sergeant of Arms removed Mr. Petrey from the meeting.

EXECUTIVE SESSION

M Purkey moved to enter Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) [To consider the employment, dismissal, discipline, 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] and 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]. B Liermann seconded the motion.

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

Council entered executive session at 8:28 p.m.

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

Mr. Purkey moved to accept the Separation Agreement between the City of Wilmington and Scott Baker and authorize the mayor to execute said agreement. Liermann seconded the motion.

Voice vote: Seven (7) yes. Zero (0) no.

MINUTES

Approval of the separation agreement and authorization to execute said agreement passed.

ADJOURNMENT

B Liermann moved to adjourn the meeting.

President M McKay declared the meeting adjourned at 8:55 p.m.

ATTEST:



President of Council



Clerk