

Wilmington City Council met in regular session on Thursday, September 15th, 2016, at 7:30 p.m. with President Randy Riley presiding.

CALL TO ORDER

President of Council called the meeting to order at 7:30 p.m.

ROLL CALL

Roll Call: Purkey, present; Spicer, present; Stuckert, present; J. McKay, present; Swindler, present; Milburn, present; M. McKay, present.

Chief Weyand was also present.

PLEDGE OF ALLEGIANCE

Council gave the Pledge of Allegiance to the flag.

MOMENT OF SILENCE

PRESIDENT OF COUNCIL

President of Council-

A motion was made by M. McKay and seconded by J. McKay to approve the amended agenda as received.

Motion passed.

Amended agenda approved as presented.

A motion was made by J. McKay and seconded by Milburn to approve the minutes as received.

Motion passed.

Minutes approved as received.

President Riley introduced Lisa Parlette, founder of the Jenna Parlette Foundation. Lisa Parlette goal of the foundation would be to benefit the community with a Sports Center with an indoor track which would be a state of the art 80,000 square foot facility. Angela Mitchell, from Wilmington College, gave an overview about the economic impact of having an indoor track in Wilmington, as well as partnering information with area schools. The next steps will be gathering numbers and expenses.

Resident Paul Hunter inquired whether the schools would be able to use the track if it was built. Angela Mitchell stated it would be like the arrangement with Wilmington High School in regards to the shared use of the college football field a few years prior.

President Riley asked if council would like to make a motion of support for the Jenna Parlette project. The motion was made by M. McKay and seconded by Purkey. All yeas.

President Riley introduced Tony Morris to present his Public Hearing for the Transit Department. Mr. Morris stated all the guidelines and requirements are the same but the funding allocations from the state are reduced this year.

Paul Hunter inquired if the transit service could be expanded to go county wide. President Riley stated when he was a County Commissioner they had looked into the funding for

expanding the transit system and, after looking at routes and numbers, the program would not have been fiscally responsible. President Riley stated it would however be worth another look and encouraged Mr. Hunter to crunch the numbers.

Director Morris further stated raising fares is really not an option and they are looking at other ways to increase revenue.

President Riley stated there were two Letters to the Legislative Authority from the Ohio Division of Liquor Control. The first a transfer from “WERE JAMMIN INC DBA BUFFALO WILD WIINGS to WILMINGTON WING COMPANY LLC” and a new license for “D. DONATS INC, BDA DONATOS PIZZA”. Riley stated both notices would be available for viewing in the Mayor’s Office by contacting the Clerk of Council.

MAYOR

Mayor – Mayor Stanforth gave an update on the sidewalk cutouts were being worked on for the tree relocation on South and Main Streets, and thanked Judge Daugherty for providing the court workers who helped to get the project finished.

Friday night will be the last party at the Mural Lot and Mayor Stanforth also encouraged everyone to support the high school football team in their game against Greenfield.

Mayor Stanforth reminded everyone the route automation is moving along, and residents wanting to select the smaller 65 gallon toter need to fill out the form and send them back in. Stanforth stated the Ahresty Connector Road Project is winding down and the Service and Safety Director would address the progress. Stanforth also stated Doan Street would be closed from September 23-30 for railroad crossing repair.

Mayor Stanforth stated upcoming events are Cardboard City and Clinton County’s Dancing with the Stars. Stanforth stated Thursday the 22nd would be the Tax Forum at the Murphy Theatre and Wilmington’s Oktoberfest would be taking place the weekend following on the 23rd and 24th.

Mayor Stanforth said currently our Code Enforcement department is slowly through complaints. Stanforth stated next week he would be meeting with all department heads to go through their budgets for 2017. Stanforth also gave a shout out to his wife Nancy Stanforth on her birthday.

AUDITOR

Auditor – Auditor Hollingsworth had no report.

COMMITTEE REPORTS AND ACTION

Asset, Acquisition and Use – Chairperson Purkey had no report.

Cemetery Committee – Chairperson J. McKay had no official report, but stated he was at the cemetery and the headstone restoration continues.

Downtown Revitalization Committee – Convener M. McKay stated the Mayor had mentioned several of the things going on downtown, but also the Murphy Theatre Open Doors program would be taking place on Friday, September 16. M. McKay reminded everyone the final party at the Mural would be Friday the 16th. Dancing with the Stars

will take place on Saturday the 17th with participants Brett Rudduck, Randi Milburn, and emcee Jonathan McKay. M. McKay also reminded everyone the Tax Forum will be taking place on the 22nd, and a few of the people on the committee may speak later. M. McKay also stated they had hired two interim directors for Main Street Wilmington, Julie Bolton and Darcy Reynolds, who would attend the next council meeting to be introduced.

Finance Committee - Chairperson M. McKay stated first item is three readings on R-16-42 accepting amounts and rates as determined by the Budget Commission and is something that is done each year.

A motion was made by M. McKay and seconded by Milburn to give the first reading only on Resolution No. R-16-42- Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

President called for a vote.

All yeas.

The Law Director read the Ordinance by title only.

A motion was made by M. McKay and seconded by Milburn to suspend the rules and give a second and third reading only on the Ordinance.

Roll Call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Director of Law read the Ordinance by title only.

A motion was made by M. McKay and seconded by Milburn to pass the Ordinance as read.

Roll Call: Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes.

Motion passes.

President Riley declared R-16-42 passed as read.

M. McKay introduced the second item, O-16-62, and stated the appropriations are from the General Fund to “Indigent Burials” the sum of \$3,000.00 and from the Fire Fund to “Equipment Maintenance” the sum of \$2,500.00.

A motion was made by M. McKay and seconded by Milburn to give the first reading only on Ordinance No. O-16-62- Making supplemental appropriations.

President called for a vote.

All yeas.

The Law Director read the Ordinance by title only.

A motion was made by M. McKay and seconded by Milburn to suspend the rules and give a second and third reading only on the Ordinance.

Roll Call: Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes, Purkey, yes; Spicer, yes.

Director of Law read the Ordinance by title only.

A motion was made by M. McKay and seconded by Milburn to pass the Ordinance as read.

Roll Call: J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes, Spicer, yes; Stuckert, yes.

Motion passes.

President Riley declared O-16-62 passed as read.

Judiciary Committee – Chairperson R. Milburn introduced O-16-63, Amending section of Chapter 505 Animals and Fowl and Chapter 549 Weapons and Explosives of the Codified Ordinance of the City of Wilmington and declaring an emergency, and asked Dan Evers from the Port Authority to summarize.

Dan Evers stated this Ordinance will allow the Port Authority to conduct wildlife mitigation programs in and around the Airport property. Mr. Evers outlined the need for these amendments due to ODWL, ODF, and AFF requirement for wildlife mitigation that stipulate they keep active airspace and landing zones clear of any wildlife that may impede the aircraft. Mr. Evers stated this mostly applies to water fowl, but not exclusively. Mr. Evers stated there is a wildlife mitigation plan and it has been in use for several years that is a multitier effort to harass and disperse and use non-lethal techniques to keep wildlife away from the active airport areas. He stated sometimes it is necessary to take lethal action specifically to shoot any potential interlopers. Lethal action would be a last resort, but would sometimes be necessary. Mr. Evers said this is a safety issue more than anything else.

A motion was made by Milburn and seconded by J. McKay to give the first reading only on Ordinance No. O-16-63- Amending section of Chapter 505 Animals and Fowl and Chapter 549 Weapons and Explosives of the Codified Ordinance of the City of Wilmington and declaring an emergency
President called for a vote.
All yeas.

The Law Director read the Ordinance by title only.

Milburn asked that the second and third reading be on the agenda for the next meeting.

President Riley reiterated how important it is ordinance is and that water fowl is a real problem, referencing Flight 1549 that crash landed in the Hudson due to interference by wildlife during takeoff.

Parks and Recreation Committee - Chairperson Milburn stated that on September 24th there would be “Mutts and Mimosas” where for \$40 you will submit a photo of your pet and a talented artist would paint it. The proceeds will benefit the Park and the Dog Park.

President Riley praised the Park Department on this year’s Soccer Program.

Safety/ Transportation Committee – Chairperson Spicer introduced item 14a., Resolution No. R-16-43, and stated all three readings needed to be done because there is a tight deadline.

A motion was made by Spicer and seconded by Purkey to give the first reading only on Resolution No. R-16-43 Authorizing the submittal of a proposal with the Ohio Department of Transportation for a grant through the U.S. DOT Federal Transit Administration (FTA), as authorized under Federal Transit Law, as Codified, 49 USC Section 5311, Financial Assistance for other than urbanized areas and funds available for the Ohio Public Transportation Grant Program and executing contract with the Ohio Department of Transportation upon grant proposal acceptance and declaring an emergency.
President called for a vote.
All yeas.
The Law Director read the Ordinance by title only.

A motion was made by Spicer and seconded by Purkey to suspend the rules and give a second and third reading only on the Resolution.

Roll Call: Swindler, yes; Milburn, yes; M. McKay, yes, Purkey, yes; Spicer, yes, Stuckert, yes; J. McKay, yes.
Director of Law read the Resolution by title only.

A motion was made by Spicer and seconded by Purkey to pass the Resolution as read.

Roll Call: Milburn, yes; M. McKay, yes; Purkey, yes, Spicer, yes; Stuckert, yes, J. McKay, yes; Swindler, yes.
Motion passes.

President Riley declared R-16-43 passed as read.

Solid Waste/Recycling –Chairperson Spicer stated the only item is the second and third reading on Ordinance No. O-16-60.

A motion was made by Spicer and seconded by Purkey to suspend the rules and give a second and third reading only on Ordinance No. R-16-60- Amending chapter 925, refuse collection, of the Codified Ordinances

Roll Call: M. McKay, yes, Purkey, yes; Spicer, yes, Stuckert, yes; J. McKay, yes, Swindler, yes; Milburn, yes.

Director of Law read the Resolution by title only.

A motion was made by Spicer and seconded by Purkey to pass the Ordinance as read.

Roll Call: Purkey, yes, Spicer, yes; Stuckert, yes, J. McKay, yes; Swindler, yes, Milburn, yes; M. McKay, yes.

Motion passes.

President Riley declared O-16-60 passed as read.

Spicer had a correction for the fliers sent out about the Route Automation, the Mayor's phone number is listed incorrectly, it should be 382-5458, not 5454. Spicer also stated if you were requesting the smaller 65 gallon toter, you need to make sure that you returned the slip of paper from the flier.

Streets Committee – Chairperson Spicer had no report.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Water Committee - Chairperson Swindler had no report, but stated the next committee meeting would be on October 6th at 6:00pm.

Safety/Service Director – Director Shidaker stated the only update he had was the Doan Street railroad crossing would be closed for a week to do surface repair. There will be new warning devices, but they will not be in until the first of the year. Shidaker stated it would be about \$300,000 in repairs and upgrades to the crossing the city does not have to pay for.

M. McKay asked about the progress of the Ahresty Road Connector. Shidaker stated they were going to be working on that railroad crossing on Monday, and the completion date is in November 15th, but they are currently ahead of schedule.

Mike Mandlestain had concerns about the wear patterns and types of repairs done on the Sugartree and Main/Locust rail road crossings, which were addressed by Shidaker.

REPORTS TO COUNCIL

A motion was made by Swindler and seconded by Stuckert to accept the Auditor's

Report as presented.

Motion passed.

Report accepted as presented.

OPEN TO PUBLIC

Paul Hunter of 200 Randolph Street stated he wanted to correct a statement he had made at the previous Council meeting when he stated that the city is the only one who will lose out if 259 people are not employed at the jump hanger. He stated the City doesn't care. It's the school that has a vested interest in the 259 new hires and the state doesn't care.

Mr. Hunter stated that at the last meeting Director Shidaker had challenged Council and the community to come up with ideas for the curbside recycling program. Mr. Hunter offered some thoughts and ideas to continue the program.

Tyler Williams of 142 Garden Circle, stated he is the Co-Chair for the Campaign for Wilmington's Future and they are holding a public forum at the Murphy Theatre on Thursday at 7:00 pm to discuss the proposed Income Tax. Williams stated that questions to be answered at the forum can be e-mailed prior to the forum.

Paul Hunter stated that Dean Hawk, Mayor of Sabina, had made a presentation where he talked about revenue return, because people don't file their taxes until April. Hunter stated that the 3 million dollars will not be available on January 1st even if the tax passes.

Paul Fear stated he had spoken to Marque Jones, Tax Commissioner, about the delayed revenue, stating the City would not have the same issue because the funds are already being withheld from the employees, and the City receives the revenue monthly.

Joe Spicer had some concerns about the letter to Council members about the Chain of Command that was in their folders.

Mike Mandelstein had a question about the incorrect phone number on the flier for the Automated Waste brochure and also had concerns about future costs for recycling.

ADJOURNMENT

A motion was made by M. McKay.

President Riley declared meeting adjourned.

Council adjourned at 8:54 p.m.

ATTEST:

President of Council

Clerk