

Wilmington City Council met in regular session on Thursday, July 6<sup>th</sup>, 2017, 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, absent; Stuckert, present; J. McKay, present; Swindler, present; Liermann, present; M. McKay, present.

A motion was made by M. McKay and seconded by J. McKay to excuse the absent member. (Spicer)

Motion passed.

Absent member excused.

Chief Weyand was present.

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**PRESIDENT OF COUNCIL**

A motion was made by J. McKay and seconded by Purkey to approve the agenda as presented.

Motion passed.

Agenda approved as presented.

President Riley noted only one small correction to the minutes that the word "Sergeant" was misspelled.

A motion was made by Stuckert and seconded by Liermann to approve the June 15<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

**MAYOR**

Mayor Stanforth began by swearing in new police officer Darcy Mayberry. Mayor Stanforth also announced that the County Fair would be opening Saturday and all of the elected officials were invited to open the fair at 11am at the flagpole.

Stanforth thanked J. McKay, M. McKay, Riley, R&L Carriers, People's Bank, and Wilmington Savings bank for making the 4<sup>th</sup> of July fireworks a success.

Mayor Stanforth announced Wilmington College Summer Theatre would be presenting the musical "The Addams Family" Thursday-Sunday and you can call the College for tickets. Stanforth stated the street paving projects would be starting soon. Stanforth noted Young's Dairy would be at the Clinton County Farmer's Market on Saturday from 9-12 selling their products. Stanforth encouraged everyone to attend Lori Williams Retirement Party that would be taking place on Friday at the park from 11am-1pm.

Stanforth presented a 2016 Community Initiative Award to Kelsey Swindler from the Association of State Territorial Dental Directors Center for Disease Control and Prevention for her community fluoridation efforts.

President Riley reminded everyone that WALH would be at the fair and they would like to conduct interviews with anyone who happens to stop by their booth.

**AUDITOR**

Auditor – Auditor Hollingsworth was absent.

## COMMITTEE REPORTS AND ACTION

Asset, Acquisition and Use – Chairperson Purkey had no report but progress is being made on the Sound Stage and they are waiting for official quotes and estimates before they call a meeting.

Cemetery Committee – Chairperson J. McKay announced that the next Cemetery Committee meeting would be held on July 20<sup>th</sup> at 6:30pm.

Downtown Revitalization Committee – Convener M. McKay announced the next third Friday event theme is Class Reunion and will take place on July 21<sup>st</sup>. “Gee Your Band Smells Terrific” will be performing and there will be a Classic Car Cruise In. M. McKay also stated that the downtown flowers look great and thanked the volunteers who are keeping them watered. J. McKay also announced that Kaity Stuckert’s new position as Marketing Director at the Chamber of Commerce. J. McKay stated the Chamber’s 60<sup>th</sup> birthday would be celebrated in August.

Finance Committee – Chairperson M. McKay had two pieces of legislation and also a discussion about the Request for Retained Hotel Lodging Funds.

M. McKay introduced O-17-36, Making Supplemental Appropriations, from the Waste Fund to “Container Purchases” the sum of \$10,012.00 to purchase new 95 gallon containers because the city is out. From the General Fund to “Workers Comp” the sum of \$10,806.00, from the General Fund to “Workers Comp” the sum of \$15.00, from the Taxi Fund to “Workers Comp” the sum of \$1,430.00, from the Community Corrections Fund to “Workers Comp” the sum of \$467.00, from the Fire Fund to “Workers Comp” the sum of \$10.00 all due to changes on amounts from the previous year fluctuating. From the General Fund to “Property/Casualty” the sum of \$62.00, from the Taxi Fund to “Property/Casualty” the sum of \$2,369.00, from the Police Fund to “Property/Casualty” the sum of \$271.00, from the Sewer Fund to “Property/Casualty” the sum of \$2,296.00, from the Waste Fund to “Property/Casualty” the sum of \$2,131.00 for changes from MVRMA. From the General Fund to “Code Enforcement- Contract Services” the sum of \$15,000.00 to board up and secure vacant and condemned homes. From the General Fund to 110.120.5265 “Property Taxes” the sum of \$1,000.00 for part of a non-tax exempt property.

Swindler asked if there could be a discussion at the next Judiciary Committee meeting about the boarding up and securing of vacant and condemned properties.

A motion was made by M. McKay and seconded by Swindler to give the first reading only on Ordinance No. O-17-36- Making supplemental appropriations.

All yeas.

The Law Director read the Ordinance by title only.

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

Roll call.

Purkey, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay; yes.

The Law Director read the Ordinance by title only.

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

Roll call.

Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay, yes; Purkey; yes.

President of Council declared O-17-36 passed as read.

M. McKay introduced O-17-37, Making Miscellaneous Transfers from “Civil Service Incidentals” to “HR Incidentals” the sum of \$2,000.00.

A motion was made by M. McKay and seconded by Swindler to give the first reading only on Ordinance No. O-17-37- Making miscellaneous transfers.

All yeas.

The Law Director read the Ordinance by title only.

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

Roll call.

J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay, yes; Purkey, yes; Stuckert, yes.

The Law Director read the Ordinance by title only.

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

Roll call.

Swindler, yes; Liermann, yes; Purkey, yes; M. McKay, yes; Stuckert, yes; J. McKay, yes.

President of Council declared O-17-37 passed as read.

*M. McKay opened the discussion for the Retained Hotel Lodging funds.*

**Hendee Broadcasting request for \$10,000-** Denied due to disqualification because they are no longer a non-profit entity. Motion to disqualify made by M. McKay, seconded by Purkey. All yeas.

Motion passes.

**Main Street Wilmington request for \$5,000-** Darcy Reynolds presented information about the Downtown Kiosk Project for the Historical Wilmington Walking Tour. Reynolds stated the request would include the markers, the installation, and the kiosk which she anticipates will be done in phases, starting with a few buildings and continuing to add markers. M. McKay stated this request does fit within the designated parameters of the funds and made a motion to approve the request, J. McKay seconded.

All yeas.

Motion passes.

**Main Street Wilmington request for \$5,000-** Reynolds presented information on their promotional request for the new Art and Soul Festival and rescheduled Strut Your Mutt Event. M. McKay asked about Main Street's Budget for current advertising, Reynolds stated since these were new events, they would require additional signage that was not included in the original budget. Reynolds also stated they've also had community requests for additional downtown signage directing parking. Swindler inquired if there is a way that MSW can keep track of the amount of people who drawn from out of town. Reynolds stated they do follow up with participants and businesses to get that information as it is available. M. McKay made a motion to approve the request, Liermann seconded.

All yeas.

Motion passes.

**Clinton County Historical Society request for \$2,500-** M. McKay stated this requested the funding for a new website. No one was present from the Historical Society. Swindler stated that there was not enough information provided to support moving forward with the request. Stuckert inquired what the going rate was for a website, Swindler replied that is an accurate estimate, but a website is an operational cost, and not specifically a project request. Swindler stated they can revisit it at a later date, but she doesn't feel comfortable approving it with such a brief application. M. McKay and J. McKay stated they would like to postpone the request to wait for more information. Miller stated she will contact Kay Fisher to communicate the postponement and request additional information.

**Murphy Theatre request for \$10,449.65-** M. McKay stated this was for a new soundboard. Leslie Keller stated even though they had received money from the State, they have been very diligent with it using it for repairs to the façade and interior of the theatre to restore it and correct some of the safety issues. The need for a new sound system stems from some issues and they did have a sound engineer come and check the system. Keller stated they have prioritized this issue and have price checked the equipment to find the best one for the price. Purkey stated he has also price checked all the equipment and it is correct estimate. Purkey inquired if the funds were not available thought this request, is it important enough for them to take money from another area to make the purchase? Keller stated they have several big events coming up and their biggest fund raiser is Clinton County Dancing with the Stars along with other acts. Purkey stated his concern is they are setting a precedent to give funds, but they are not making sure the money is being replenished back into the Hotel

Lodging Tax if patrons aren't spending the night.

M. McKay made a motion to approve the request, Liermann seconded.

All yeas.

Motion passes.

**Clinton County Ohio Visitor's Bureau request for \$27,685** – M. McKay stated this was for their current operating budget. Stuckert stated that he has spoken with their Director Susan Valentine and she did want to attend a meeting report on their finances, but was unable to make it today. Stuckert stated there was some confusion on the legislation wording and he feels it should be taken back to Judiciary. Miller stated there are two separate requests, one was a verbal request for appropriation of the Hotel Lodging Tax and the second was the request for the Retained Hotel Lodging Tax. M. McKay stated his concern is there is nothing specific on the Retained Hotel Lodging Request for a project, just funds. Purkey stated he would like an update from Director Valentine before continuing. Purkey also stated if there was a second request he would like to look at them at the same time. Miller clarified that there isn't a second request for the Retained Hotel Lodging Tax, but the legislation that went into effect in January of 2017 states that half the collected revenue goes to the CVB and the other half to the Retained Hotel Lodging Fund. Miller stated the CVB is still pursuing the funds collected in 2016 to be paid to them in 2017. Miller stated if they want to press the issue of how the legislation is written they would then need to return to Judiciary to clarify. Swindler stated she would like to hear more about the projects that they are working on and also stated the application was submitted by the board president not the director. Swindler would like to see Director Valentine submit an updated request form. M. McKay stated he would like to postpone the request until they receive more information. President Riley asked Miller to contact Director Valentine to clarify and ask for more information.

Judiciary Committee – Chairperson Purkey stated he feels there is a need for a committee or organization to help manage the Retained Hotel Lodging Tax and then they can bring those recommendations to Full Council. Treasurer Fear also stated he feels like bringing a group together would be advisable.

Purkey stated there will be a public forum on Medical Marijuana, specifically the cultivation of marijuana, to be held at the July 20<sup>th</sup> Council Meeting.

Purkey introduced O-17-31 for a second and third reading and explained this Ordinance will amend the previous one for Job Classifications. Purkey offered clarification that the title of "Executive Assistant to the Mayor" will change to "City Administrator". Purkey stated he spoke with Jeanne Pope in Human Resources to confirm that no job duties were being amended, and he also spoke with Mayor Stanforth. Purkey stated the change would have the position be viewed less as a secretary, but more closely reflect the current job description. Purkey stated he feels like it's a good transition and he didn't want anyone to think they were hiding information in the legislation.

Swindler stated the pay range is determined by the job description and this change is just recognizing the current position, not changing the pay.

Liermann stated that staffing and managing of the office is up to the Mayor and he supports the change of title.

President Riley stated that if the Mayor is on board with the change, he supports it.

A motion was made by Purkey and seconded by Liermann suspend the rules and regulations and give the second and third reading only on Ordinance No. O-17-31, Amending Ordinance No. 4823 establishing classification and salary ranges for certain city employees, repealing Ordinances and parts of Ordinance in conflict herewith.

All yeas.

The Law Director read the Ordinance by title only.

Roll call.

Liermann, yes; Purkey, yes; M. McKay, yes; Stuckert, yes; J. McKay, yes; Swindler; yes.

The Law Director read the Ordinance by title only.

A motion was made by Purkey and seconded by Swindler to pass the Ordinance as read.  
Roll call.

Purkey, yes; M. McKay, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann; yes.  
President of Council declared O-17-31 passed as read.

Parks and Recreation Committee – Chairperson Liermann had one piece of legislation concerning an easement with DP & L for electricity to the new park restroom.

A motion was made by Liermann and seconded by Swindler to give the first reading only on Ordinance No. O-17-38- An Ordinance authorizing the granting of right of way and easement to the Dayton Power and Light company and declaring an emergency.

All yeas.

The Law Director read the Ordinance by title only.

A motion was made by Liermann and seconded by Swindler to suspend the rules and regulations and give the second and third reading on the Ordinance.

Roll call.

Purkey, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay, yes;

The Law Director read the Ordinance by title only.

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

Roll call.

Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann, yes; Purkey, yes; M. McKay, yes.

President of Council declared O-17-37 passed as read.

Liermann thanked Lori Williams for her last 5 years of work for the Parks Department.

HR Director Pope introduced Jermaine Isaac the new Parks and Recreation Director. Pope stated he is transplant to Wilmington a graduate of Wilmington College. Isaac thanked Williams for showing him the ropes and he is looking forward to continuing to serve the community.

Williams stated she is very glad to have Isaac on board and she has been privileged to serve this community. Williams stated she will be staying on briefly to help Isaac get acquainted with the position.

Safety/ Transportation Committee – Chairperson Spicer was absent and there were no action items.

Solid Waste/Recycling – Chairperson Spicer was absent and there were no action items.

Streets Committee – Chairperson Spicer was absent and there were no action items.

Wastewater/Sewer Committee - Chairperson Stuckert had no action items.

Water Committee - Chairperson Swindler had no action items.

Safety/Service Director – Director Shidaker introduced Rick Shaffer from the Water Department to give an update on Caesar's Creek. Shaffer stated the city has been back on Caesar's Creek water since Tuesday. Shaffer stated it took 8 days of painful negotiations with the EPA to be allowed to go back to Caesar's Creek water and there will be even more hoops for them to jump through in the future because of the algae bloom. Shaffer stated they are building an emergency quarantine system that will be at the Caesar's Creek pump station that will be another barrier to keep the toxins out of the water supply. Shaffer stated in a separate EPA issue, they are worried about toxins that are taken out of the water that end up in the lime sludge. The EPA has determined if there are any toxins in the sludge, they will require them to put it in the landfill. The EPA will be back next week to do testing.

Shaffer stated it's not all bad news from the EPA, and they are sending a group of employees to do a Comprehensive Performance Evaluation at the Water Plant and let them know where they can improve in efficiency and effectiveness. Shaffer stated

normally this would cost anywhere from \$50,000 to \$100,000 but the EPA will be doing it for free.

M. McKay asked if the algae bloom was increasing. Shaffer stated at this time it looks like it is, and it goes in cycles depending on temperature but it currently is okay.

Shidaker stated to follow up that they still have a bad contract with the Army Corps of Engineers where the city is purchasing 7 million gallons and day, but only using 2 million. Shidaker stated we previously didn't know how much water our plant can sell because a comprehensive evaluation has never been done on the plant. Shidaker stated he had planned to go to Council to ask for the Comprehensive Evaluation, but Shaffer has already gotten the EPA for doing it for free. Shidaker thanked Superintendent Shaffer for saving the city \$100,000.

Shidaker gave an update on the Recycling Grant and stated that 61 cities applied for the grant, and Wilmington was only one of 11 who received it. Shidaker remarked that it was very competitive and they were fortunate to receive the \$250,000. Shidaker stated they are not finished talking with the Clinton County Solid Waste District about helping with the ongoing funding.

Shidaker stated the Street Project will be starting up in August. Beginning in July they will begin soliciting for contractors. Shidaker stated the bid opening will be July 24<sup>th</sup>, on August 26<sup>th</sup> there will be a pre-construction meeting, and they will begin in the North West Quadrant with the repairs. Shidaker stated the Safe Routes to School Sidewalk Project on Truesdell will begin at the same time as the street repairs. Shidaker stated there will be a lot of activity going on in August with the street project, sidewalk project, sewer replacement, and the water line project. Shidaker stated there is also a culvert on Nelson that will need to be replaced.

Shidaker also gave updates on the grant application for pedestrian safety and the closure of Hawley Avenue at the railroad tracks.

#### **REPORTS TO COUNCIL**

A motion was made by Swindler and seconded by J. McKay to accept the Income Tax Report as presented.

Motion passed.

Report accepted as presented.

#### **OPEN TO PUBLIC**

Fred Lovelace asked Council for extra financing for the Police Department so they can staff additional officers due to the drug problem in Wilmington, especially during the first of the month.

Angela Mitchell-Koster inquired about the Veterans Monument located at the County Court House. President Riley stated she should contact Ray Souder of the Veterans Service Commission.


#### **ADJOURNMENT**

A motion was made by M. McKay.

President Riley declared meeting adjourned.

Council adjourned at 9:26p.m.

ATTEST:

  
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President of Council

  
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Clerk