

**COUNCIL**

**April 15, 2021**

Wilmington City Council met in regular session on Thursday, April 15, 2021 at 7:30 p.m. Virtually on Zoom 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; K. Fickert, absent; M. Purkey, present; N. Eveland, present; B. Liermann, present; K. Swindler, present.

Motion for approval J. McKay and seconded by N. Eveland that absent members be excused.

Motion passed.

Agenda approved.

Chief Cravens was present as Sergeant at Arms.

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

**PRESIDENT OF COUNCIL**

Motion by M. Purkey and seconded by K. Swindler that agenda be amended to move Judiciary agenda items to first reading only.

Motion passed.

Motion for approval M. Purkey and seconded by J. McKay that agenda be accepted as presented.

Motion passed.

Agenda approved.

President McKay asked if there were any changes to the minutes.

Motion by N. Eveland and seconded by K. Swindler approve April 1, 2021 minutes as amended.

Motion passed.

Minutes approved.

Motion by K. Swindler and seconded by B. Liermann approve Notice of Legislative Authority as presented.

Motion passed.

Minutes approved

President M. McKay presented Zach McDaniel who spoke on behalf of the Wilmington Talbert House

Zach McDaniel presented on Talbert House more specifically discussing the new Prevention Services serving Clinton and Warren County. Our primary goal this evening will be in introducing our "Be One of Us" initiative aimed at educating the community on adult binge drinking.

**MAYOR**

Mayor Stanforth provided an update on the Ogden Road Trail which will begin paving on April 23, 2021 and the Reeseville Trail two miles of paving. He also provided a wage study for transit drivers with an hourly increase for drivers which will cost \$60,000.00 with a fifty percent match which will be an additional cost of \$30,000.00. We will also implement a performance review for drivers. Pay increases will occur on a merit basis.

Increases will be on a merit basis, not just for longevity. Greg Muenchen has created this performance criteria and standard. This document will become a public document. Mayor expects this to occur during the first pay period in June. Mayor knows drivers are underpaid and since they are part time he can authorize the raise.

Mayor Stanforth introduced Taylor Stuckert, Executive Director, Clinton County Regional Planning Commission who provided an overview on the Clinton County Comprehensive Plan. Last comprehensive plan was 2004 and this is comprised of 28 members from across the county. Some of those meetings dates will be an April 28, 2021 virtually at 7:00 P.M. and in person at noon on April 30, 2021, May 13, 2021, and May 20, 2021.

## **AUDITOR**

Auditor Vance had no report.

## **SERVICE AND SAFETY DIRECTOR**

Safety/Service Director B. Shidaker had five items to present.

B. Shidaker introduced Resolution No. R-21-16 a Resolution Authorizing the Filing of Applications with the Ohio Department of Transportation for CY2021 Capital Grant Funding for Facility Project; and Declaring an Emergency

This legislation allows B. Shidaker to apply for grants. There are no guarantees, but the 5311 grant is the heart and soul of the transit department which is a 50/50 grant. We passed legislation previously, but there were errors and we need these by April 30, 2021 in order to be eligible. We've utilized the 5311 for vans, busses and now other items for the building. We are looking at repairs to the building. The research we've done goes back to the transit department to see if there had been any building updates through the grant and there have been no major repairs to the building since 2002.

One grant would be to obtain an additional employee in the transit department for an 80/20 grant with the possibility of 100 percent grant. There are also additional grants for facilities and a master transportation plan.

Motion by N. Eveland and seconded by J. McKay to give first reading on the Resolution.  
6 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by J. McKay to give the second and third readings on the Resolution.

6 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by J. McKay to pass the Resolution as read.

6 yeas.

Motion passes.

President of Council declared Resolution No. R-21-16 passed as read.

B. Shidaker introduced Resolution R-21-17 a Resolution Authorizing the Filing of Applications with the Ohio Department of Transportation for SFY 2022 OTP2 Ohio Transit Partnership Grant; and Declaring an Emergency.

Motion by N. Eveland and seconded by J. McKay to give first reading on the Resolution.

6 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by J. McKay to give the second and third readings on the Resolution.

6 yeas.  
Motion Passes.  
The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by J. McKay to pass the Resolution as read.  
6 yeas.  
Motion Passes.  
Motion passes.

President of Council declared Resolution No. R-21-17 passed as read.

B. Shidaker introduced Resolution R-21-18 a Resolution Authorizing the Filing of an Application with the Ohio Department of Transportation by the City of Wilmington for Grants through the US DOT Federal Transit Administration (FTA), as Authorized under Federal Transit Laws, as Codified, 49 USC Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities, Ohio's Specialized Transportation Program and Executing a Contract with the Ohio Department of Transportation upon Project Approval; and Declaring an Emergency

Motion by N. Eveland and seconded by M. Purkey to give first reading on the Resolution.  
6 yeas.  
Motion Passes.  
The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by M. Purkey to give the second and third readings on the Resolution.  
6 yeas.  
Motion Passes.  
The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by M. Purkey to pass the Resolution as read.  
6 yeas.  
Motion Passes.  
Motion passes.

President of Council declared Resolution No. R-21-18 passed as read.

B. Shidaker introduced Resolution R-21-19 a Resolution Rescinding Resolution R-21-6; and Authorizing the Filing of an Application with the Ohio Department of Transportation by the City of Wilmington for Grants through the US DOT Federal Transit Administration (FTA), as Authorized under Federal Transit Laws, as Codified, 49 USC Section 5311, Formula Grants for Rural Areas, Ohio Rural Transportation Program and Executing a Contract with the Ohio Department of Transportation Upon Project Approval; and Declaring an Emergency

Motion by N. Eveland and seconded by J. McKay to give first reading on the Resolution.  
6 yeas.  
Motion Passes.  
The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by J. McKay to give the second and third readings on the Resolution.  
6 yeas.  
Motion Passes.  
The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by J. McKay to pass the Resolution as read.  
6 yeas.  
Motion Passes.  
Motion passes.

President of Council declared Resolution No. R-21-19 passed as read.

B. Shidaker introduced Resolution R-21-20 a Resolution Authorizing the Filing of an Application with the Ohio Department of Transportation by the City of Wilmington for Grants through the US DOT Federal Transit Administration (FTA), as Authorized under Federal Transit Laws, as Codified, 49 USC Section 5339, Grants for Buses and Bus Facilities, Ohio's Bus and Bus Facilities Transportation Program and Executing a Contract with the Ohio Department of Transportation Upon Project Approval; and Declaring an Emergency

Motion by N. Eveland and seconded by B. Liermann to give first reading on the Resolution.  
6 years.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by B. Liermann to give the second and third readings on the Resolution.

6 years.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by B. Liermann to pass the Resolution as read.

6 years.

Motion Passes.

Motion passes.

President of Council declared Resolution No. R-21-20 passed as read.

B. Shidaker stated he has a report that is before the Council and he won't go in to it in detail, but to let him know and he will help work through those items.

## **COMMITTEE REPORTS AND ACTION**

City Revitalization Committee – Chairman M Snarr had no report.

City Services Committee – Chairman N. Eveland had one item to present.

N. Eveland introduced Resolution R-21-15 a Resolution Declaring the Necessity to Levy a Tax Outside the Ten-Mill Limitation, Requesting the Clinton County Auditor Certify to the City of Wilmington the Total Current Valuation of the City and the Dollar Amount of Revenue that will be generated by an Additional and Continuing Tax Levied of One Mill for Maintaining and Operating a Cemetery.

N. Eveland stated he prepared the Resolution for consideration and we will bring it before council at the next meeting. It is a 1 mill permanent levy that will be assessed on all property within the Corporation of Wilmington. The objective would be to try to work out all problems prior to the next meeting.

K. Swindler wanted to clarify that the cemetery was insolvent, would it have been passed along to the City?

B. Shidaker stated pursuant to R.C. the City of Wilmington was required to take over the cemetery.

Next meeting B. Shidaker stated he will illustrate charts on deficient spending. All committee members have seen that, but not full council yet.

Finance Committee – K. Swindler had two items to present.

K. Swindler introduced Ordinance No. O-21-13 an Ordinance Making Supplemental Appropriations from "Fire Fund" to "Incidentals" the sum of \$2,195.00 and "M&R Fund" to "Facility Maintenance" the sum of \$30,000.00.

M. Miller stated we are appropriating the gift for the fire fund. The Law Director may be working out part of it.

N. Eveland said he believes the fire department should always accept a gift with a resolution.

Motion by K. Swindler and seconded by M. Purkey to amend Ordinance No. O-21-13 an Ordinance Making Supplemental Appropriations by striking "Fire Fund" to "Incidentals" the sum of \$2,195.00.

Motion passed.

6 yeas.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by M. Purkey to suspend the rules and regulations and give the second and third readings on the amendment.

6 yeas.

Motion Passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by M. Purkey to give the second and third readings on the amendment.

6 yeas.

Motion Passes.

The Law Director read the Ordinance by title only.

Motion by M. Swindler and seconded by M. Purkey to pass amendment.

6 yeas.

Motion passes.

Motion by K. Swindler and seconded by J. McKay to give the first reading by title only on an Ordinance No. O-21-13 an Ordinance Making Supplemental Appropriations from "Incidentals" the sum of \$2,195.00 and "M&R Fund" to "Facility Maintenance" the sum of \$30,000.00.

Motion passed.

6 yeas.

Motion passed.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by J. McKay to suspend the rules and regulations and give the second and third readings on the Ordinance.

6 yeas.

Motion Passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by J. McKay to give the second and third readings on the Ordinance.

6 yeas.

Motion Passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by J. McKay to pass the Ordinance as read.

6 yeas.

Motion passes.

President of Council declared Ordinance No. O-21-13 passed as read.

K. Swindler introduced Ordinance No. O-21-16 an Ordinance Establishing a New Fund including Fund 131 "American Rescue Plan Fund" and Fund 564 "Natureworks Round #27".

Auditor Mary Kay Vance stated administration is asking for creation of funds for federal funds that may be coming in from some federal grants. Need separate fund for Natureworks Funds. We maintain and manages the parks board fund.

Motion by K. Swindler and seconded by J. McKay to give the first reading by title only on Ordinance No. O-21-16 an Ordinance Establishing a New Fund including Fund 131 "American Rescue Plan Fund" and Fund 564 "Natureworks Round #27".

Motion passed.

6 years.

Motion passed.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by J. McKay to suspend the rules and regulations and give the second and third readings on the Ordinance.

6 years.

Motion Passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by J. McKay to give the second and third readings on the Ordinance.

6 years.

Motion Passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by J. McKay to pass the Ordinance as read.

6 years.

Motion passes.

President of Council declared Ordinance No. O-21-16 passed as read.

Judiciary Committee – Chairperson M. Purkey had two items to report.

M. Purkey states we redo these every year and there are a lot of pages to look through and I respect Councilperson Swindler's ability to work through it. I'm fine with having time to review. We were switching over to Municode. This isn't necessarily time sensitive, but we do need to update this. There are changes including distracted driving and e-bikes. A lot of small changes so he encouraged everyone to take time to review it.

M. Purkey stated Ordinance No. 21-14 an Ordinance to Amend the Code of Ordinance, City of Wilmington Ohio to Provide Amendments to Traffic City Code Sections 301.04, 301.20, 303.06, 313.01, 313.09, 331.01, 331.02, 331.03, 331.04, 331.05, 331.06, 331.07, 331.08, 331.09, 331.10, 331.12, 331.13, 331.14, 331.15, 331.16, 331.17, 331.18, 331.19, 331.22, 331.24, 331.26, 331.27, 331.28, 331.29, 331.30, 331.31, 331.33, 331.37, 331.40, 331.43, 333.03, 333.031, 333.04, 333.05, 333.11, 335.09, 335.032, 337.16, 337.27, 341.03, 351.03, 371.01, 371.02, 371.07, 373.01, 373.02, 373.03, 373.04, 373.05, 373.13, 373.14; to provide for Penalties; to provide for Codification; to Provide for Severability; to Repeal Conflicting Ordinances; to provide an effective date; and for other Purposes will be up for first reading at the next meeting.

M. Purkey stated Ordinance No. 21-15 an Ordinance to Amend the Code of Ordinance, City of Wilmington, Ohio to Provide Amendments to General Offenses Wilmington City Code Sections 501.06, 501.99, 505.071, 505.15, 509.03, 513.01, 513.03, 513.04, 513.05, 513.08, 521.08, 529.07, 533.04, 533.07, 537.16, 549.06; to provide for Penalties; to Provide for Codification; to Provide for Severability; to Repeal Conflicting Ordinances; to Provide an Effective Date; and for other Purposes will be up for first reading at the next meeting. .

Public Works Committee – Chairperson K. Swindler had no items to report.

Airpark water tower will be shut down and repaired. We anticipate six weeks. We will need a committee meeting prior to the next Council Meeting.

Solid Waste/Recycling Committee- Chairperson J. McKay asked if we need to have a meeting for the rate increase.

B. Shidaker stated if they want to discuss the rate increase plan.

J. McKay stated there will not need to be a meeting.

## **REPORTS TO COUNCIL**

Motion by M. Purkey and seconded by J. McKay to approve the Income Tax Report and Annual Report of Utility Billing Rates as presented.

6 years.

Motion passed.

### **OPEN TO PUBLIC**

Shelby Boatman, Director of the Historical Society, the building will open Friday 1:00 P.M. to 4:00 P.M. and Saturday's 10:00 A.M to 1:00 P.M. We'd love to have your support for local history.

J. McKay would like to thank the Wilmington P.D. for their work tonight and Officer Foster in particular.

L. Bennington thanked City Council for their support tonight.

B. Shidaker made a plug for [www.wilmingtonohio.org](http://www.wilmingtonohio.org) for projects this year and next year.

### **ADJOURNMENT**

A motion to adjourn was made by B. Liermann at 9:00 p.m.

President M. McKay declared meeting adjourned.

ATTEST:

  
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President of Council

  
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Clerk