

COUNCIL

November 15th, 2018

Wilmington City Council met in regular session on Thursday, November 15th, 2018, at 7:30 p.m. 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; Allbright, present; Fickert, absent; Purkey, present; Liermann, present; Swindler, present; Williams, present. Motion by K. Swindler and second by B. Liermann to excuse the absent member. (Fickert)

Chief Weyand was present as Sergeant at Arms.

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

PRESIDENT OF COUNCIL

President M. McKay asked if there were any changes to the agenda.

Motion by K. Swindler and seconded by J. McKay to approve the agenda as presented.

Motion passed.

Agenda approved as presented.

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

Motion by K. Swindler and seconded J. McKay by to approve to minutes the November 1st minutes as presented.

Motion passed.

Minutes approved as presented.

Public Hearing opened at 7:34 p.m.

M. Purkey summarized the zoning project. He thanked Warren County for the assistance and opened the floor to any Councilmember with a question. K. Swindler asked about tracked changes in the draft copy. M. Purkey stated no changes were made after acceptance by the Judiciary Committee. The changes came from the Zoning Update Committee and the Regional Planning Commission, not the Judiciary Committee. General conversation regarding zoning code and council expressed gratitude for all who contributed to the project.

Steve Sawzin, 43 Fulton Street, addressed council and provided a letter to council. (Exhibit A). He expressed concern and asked council to review the letter and consider his proposals.

Brett Dixon, 193 Mitchell Road, expressed that he had read through the zoning code and has had communication with the Zoning group. He's concerned about the zoning for businesses and sees conflicts. He appreciates that some of his concerns have already been included in the zoning code but wants continued review and response.

Public hearing closes at 7:52 p.m.

President McKay presented Clinton County Convention and Visitors Bureau's nominees for the board, Matt Wahrhaftig and Marty Beaugard. A motion was made by J. McKay and seconded by M. Purkey to accept nominations.

MAYOR

Mayor Stanforth provided certificate to Lt. Ed Myers for his service to the Wilmington City Fire Department. Chief Andy Mason also provided a plaque for appreciation. Mayor Stanforth noted Laney Cakes Bakery is now open and Hometown Holidazzle and "Small Business Saturday" will take place on November 24. Stanforth stated the Murphy Theatre Christmas show tickets are currently on sale and noted they had finished tree planting on Mulberry Street at the new parking lot. Stanforth stated they planted 11 trees; oaks, maples, and cedars.

Mayor Stanforth stated he had received a tour of Ancient Roots, the new medical marijuana grow facility, he noted they would start operations as soon as they receive the go ahead from the state. Stanforth said was happy to see the large turnout for the Veterans Day Ceremony. He also thanked street crew for their work cleaning up after the ice storm. Finally, Stanforth spoke briefly about the great news from Amazon. General comments from Council of gratitude and thanks to Dan Evers and the Port Authority.

AUDITOR

Auditor – Auditor Hollingsworth was absent.

SERVICE AND SAFETY DIRECTOR

Safety/Service Director– Director Shidaker stated the ice storm was a challenge due to all of the falling trees, but currently almost all of the streets have debris cleared and are now open. B. Shidaker also stated the Cemetery had to be closed due to unsafe conditions, but the clean-up will begin as soon as possible. B. Shidaker thanked the Streets, Water, and Wastewater Departments who were all hands on deck for the clean-up efforts, and also thanked the Police Department.

COMMITTEE REPORTS AND ACTION

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

Cemetery Committee – Chairperson J. McKay had no report. He reiterated what Director Shidaker stated previously asking the public to avoid the cemetery at this time.

City Revitalization Committee – Councilperson J. McKay summarized local events, and noted several grand openings that had recently occurred.

Finance Committee – Chairperson K. Swindler had 2 pieces of legislation.

K. Swindler introduced O-18-65 making supplemental appropriations from the “General Fund” to “Transfer to Taxi” the sum of \$80,000.00.

Motion by K. Swindler and seconded by T. Williams to give the first reading only on Ordinance No. O-18-65 Making supplemental appropriations.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

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

Roll Call; 6 yeas, 1 absent.

Motion passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by T. Williams to pass the Ordinance as read.

Roll Call; 6 yeas, 1 absent.

Motion passes.

President of Council declared Ordinance No. O-18-65 passed as read.

K. Swindler introduced O-18-66 making miscellaneous transfers from “Acting Clerk” to “Acting Judge” the sum of \$2,200.00, from “Acting Clerk” to “Benefit Insurance” the sum of \$2,800.00, from “Workers Comp” to “Benefit Insurance” the sum of \$1,498.00, from “Municipal Deputy Clerk” to “Benefit Insurance” the sum of \$16,000.00, from “Municipal Deputy Clerk” to “Probation Salary” the sum of \$8,000.00, from “Incidentals” to “Supplies” the sum of \$2,000.00, and from “Recycling Grant Match” to “Waste Landfill Monitoring” the sum of \$7,000.00.

Motion by K. Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-18-64 Making miscellaneous transfers.

All yeas.

Motion passes.

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.

Roll Call; 6 yeas, 1 absent.

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.

Roll Call; 6 yeas, 1 absent.

Motion passes.

President of Council declared Ordinance No. O-18-66 passed as read.

Judiciary Committee – Chairperson M. Purkey had two pieces of legislation, the first readings on the updated Zoning Code and Zoning Map. M. Purkey summarized the changes, noting the recent input from the public hearing.

Motion by M. Purkey and seconded by B. Liermann to give the first reading only on Ordinance No. O-18-67 Changing the zoning of Real Property located in the City of Wilmington Ohio.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that second reading be on the next council agenda.

Motion by M. Purkey and seconded by M. Allbright to give the first reading only on Ordinance No. O-18-68 Rescinding Chapters 1129 and 1131-1169 of Part Eleven- Planning and Zoning Code of the Wilmington Codified Ordinances; and adopting an updated Zoning Code.

All yeas.

Motion passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that second reading be on the next council agenda.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Liermann had no report

Solid Waste/Recycling Committee- Chairperson M. Allbright summarized the Special Solid Waste Committee meeting, stating they reviewed the budget, as well as the holiday schedule for employees.

Streets Committee – Chairperson T. Williams summarized the Special Street Committee meeting, stating they discussed the M & R budget and the Cemetery roads.

Wastewater/Sewer Committee - Chairperson Fickert was absent and there was no report. Clerk Miller noted the upcoming Special Wastewater Committee on December 6th.

Water Committee – Chairperson Swindler had no report.

REPORTS TO COUNCIL

A motion was made by J. McKay and seconded by M. Purkey to accept the Auditor Treasurer Report and the Retained Hotel Lodging 3rd Quarter Report.

Motion passed.

Reports accepted as presented.

OPEN TO PUBLIC

J. McKay noted the availability of funds from the Retained Hotel Lodgings Tax revenue.

EXECUTIVE SESSION

Motion by K. Swindler to move into executive session pursuant to RC 121.22(G)3.
Second J. McKay. Roll call completed. All yeas. 8:20 p.m.

Motion to exit executive session by M. Purkey and B. Liermann to exit executive session. Roll call complete. Exit at 8:58 p.m.

ADJOURNMENT

A motion was made by M. Purkey.
President M. McKay declared meeting adjourned.
Council adjourned at 8:58 p.m.

ATTEST:



President of Council



Clerk

To: the Zoning Task Force

November 8, 2017

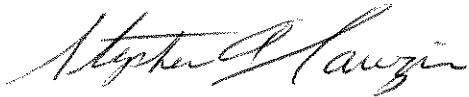
From: Stephen Sawzin
43 Fulton Street
Wilmington, Ohio 45177

Subject: Zoning Management Rules

To me the need for change is the Zoning Management Rules. The Rules under which zoning is managed and directed. Below are some of the rules I feel need changing based on what I have learned by observing past zoning actions.

1. Zoning should not change existing use of property. If a house is on the property that property should be zoned residential. Any change to the zoning of that property should not be done unless expressly requested by the current owner of the property.
2. The city should not change the zoning of existing property unless approved by the property owner. The city should not change zoning of a property for general city planning purposes. The city needs to petition the zoning commission for the change, present the reason for change, provide overriding evidence and logic that the change will benefit both the current property owner and the community as a whole. There must be a current development proposal that warrants the need for a change in a property zone. Any blanket change in areas of the city to a different zone must be approved by the property owner. Current property owners must unanimously approve the change if the change is within a block or group area.
3. All property owners must obtain (be given) an affidavit from the city identifying the zone in which that property resides.
4. City planning proposals to change current property zones cannot be used to change property zones unless the city plan is actually implemented by an actual development change to that property and must follow the actions in Items 1 and 2.

Sincerely,



Stephen A. Sawzin

11-15-2018

Ex-A