

**COUNCIL**

**September 3<sup>rd</sup>, 2020**

Wilmington City Council met in regular session on Thursday, September 3<sup>rd</sup>, 2020 at 7:30 p.m. in the Community Room 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; Snarr, present; Fickert, present; Purkey, present; Eveland, present; Liermann, present; Swindler, present.

Chief Cravens was present as Sergeant at Arms.

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

**PRESIDENT OF COUNCIL**

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

Motion by M. Purkey and seconded B. Liermann 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 by K. Fickert to approve August 20<sup>th</sup> minutes as presented.

Motion passed.

Minutes approved as presented.

President M. McKay stated he had a letter from the CVB asking Council to approve the appointment of a new board member Melissa Clark.

Motion by K. Swindler and seconded by J. McKay to approve the appointed board member.

6 yeas. 1 abstain (K. Fickert).

Motion passed.

*President M. McKay opened the floor for the DORA Public Hearing at 7:36 p.m.*

Clerk M. Miller explained the legislation was edited to reflect the time change for the DORA program to be every day 12-12. She stated this information had been shared with and also approved by the Chief of Police and under the advisement of the Economic Development Director Jennifer Ekey, consistent times for the DORA creates for consistence compliance and creates less confusion. President M. McKay noted that Main Street Director Darcy Reynolds, President Myron Hale, and supporter Jason Vaughn were in attendance.

*President M. McKay closed the DORA Public Hearing at 7:39 p.m.*

**MAYOR**

Mayor Stanforth noted the Farmer's Market is ongoing downtown on Mulberry Street on Saturday morning and reminded everyone to complete the 2020 Census. Mayor Stanforth swore in Firefighter Michael Sowards and announced the annual 9/11 Memorial Ceremony would take place on Friday at 7:30 a.m.

**AUDITOR**

Auditor Vance had no report but reminded council to fill out and turn in the Elected Officials Questionnaire they were provided to help with the annual audit.

## SERVICE AND SAFETY DIRECTOR

B. Shidaker briefly went over the rate review conducted by the Sanitation, Water, and Wastewater Departments. He stated they did have a rate plan for the Water Department they had gone over in the previous year and they will be leaving those rates the same. B. Shidaker also stated the Wastewater Rates were currently being adjusted by legislation on the agenda tonight, so he would not be discussing those rates. He stated he did want to talk about the Sanitation Department because of the current rates, the expensive expansion, and COVID crisis, revenue has been very tight this year.

B. Shidaker and Superintendent M. Crow have been working on the review and noted they have been playing more stated and local fees due to the pandemic. B. Shidaker stated he is hopeful that the expansion will pay off, but the budget will be really tight for the remainder of the year and if another shut down occurs, some decisions will need to be made.

## COMMITTEE REPORTS AND ACTION

City Revitalization Committee – Chairperson M. Snarr had two items, the presentation of the Sugartree Street Enhancement Conceptual Design and Development Plan and a first reading on the legislation adopting it. Clerk M. Miller and CCRPC Director Taylor Stuckert presented the plan and outlined the stages of completion of this project.

Motion by M. Snarr and seconded by J. McKay to give the first reading by title only on Resolution No. R-20-33 Adopting the Sugartree Street Enhancement Conceptual Design and Development Plan.

6 yeas. 1 abstain (K. Swindler).

The Law Director read the Resolution by title only.

M. Snarr requested a second and third reading be on the next Council agenda.

City Services Committee – Chairperson N. Eveland had three items to present and introduced legislation advertising for Street Improvement Project bids.

Motion by N. Eveland and seconded by B. Liermann to give the first reading by title only on Resolution No. R-20-27 Authorizing the advertising for bids for the 2021 Street Improvements Project and for contracting for same.

7 yeas.

The Law Director read the Resolution by title only.

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

7 yeas.

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.

7 yeas.

Motion passes.

President of Council declared Resolution No. R-20-27 passed as read.

N. Eveland introduced R-20-31 accepting the donation of a K9 Unit for the Police Department.

Motion by N. Eveland and seconded by J. McKay to give the first reading by title only on Resolution No. R-20-31 Accepting a gift from the Matt Haverkamp Foundation for the City of Wilmington Police Department and declaring an emergency

7 yeas.

The Law Director read the Resolution by title only.

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

7 yeas.

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.  
7 yeas.  
Motion passes.

President of Council declared Resolution No. R-20-31 passed as read.

N. Eveland introduced R-20-34 accepting the donation of land for the continuation of the bike trail.

Motion by N. Eveland and seconded by B. Liermann to give the first reading by title only on Resolution No. R-20-34 A Resolution accepting a donation of 21.995 acres, more or less, of property located in Adams and Union Townships  
7 yeas.  
The Law Director read the Resolution by title only.

Motion by N. Eveland and seconded by B. Liermann to suspend the rules and regulations and give the second and third readings on the Resolution.  
7 yeas.  
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.  
7 yeas.  
Motion passes.

President of Council declared Resolution No. R-20-34 passed as read.

N. Eveland requested a summary of the project including how it will be maintained.

Finance Committee – Chairperson K. Fickert had two pieces of legislation to present.

K. Fickert introduced R-20-24 approving special assessments from the Utility Billing Department and the Building & Zoning Department.

Motion by K. Fickert and seconded by M. Snarr to give the first reading by title only on Resolution No. R-20-24 Approving special assessments pursuant to Sections 923.09, 929.03, 1701.08, 1701.09, and 1729.03 of the Codified Ordinances of the City of Wilmington, and declaring an emergency.  
7 yeas.  
Motion Passes.  
The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by M. Snarr to suspend the rules and regulations and give the second and third readings on the Resolution.  
7 yeas.  
Motion Passes.  
The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by M. Snarr to pass the Resolution as read.  
7 yeas.  
Motion Passes.

President of Council declared Resolution No. R-20-24 passed as read.

K. Fickert introduced R-20-26 accepting the Budget Commission Rates for 2021, noting this is the annual legislation.

Motion by K. Fickert and seconded by M. Purkey to give the first reading by title only on Resolution No. R-20-30 A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor  
7 yeas.  
Motion Passes.

The Law Director read the Resolution by title only.

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

7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by M. Purkey to pass the Resolution as read.

7 yeas.

Motion Passes.

President of Council declared Resolution No. R-20-30 passed as read.

Judiciary Committee – Chairperson M. Purkey had four pieces of legislation to present.

M. Purkey introduced O-20-36 amending the rules of council for a second reading.

Motion by M. Purkey and seconded by J. McKay to give the second reading by title only on Ordinance No. O-20-36 An Ordinance amending Section 111.10, Rules of Council.

7 yeas.

The Law Director read the Ordinance by title only.

M. Purkey asked that a third reading be on the next agenda.

M. Purkey introduced O-20-37 amending the classification plan for a second and third reading.

Motion by M. Purkey and seconded by K. Fickert to suspend the rules and regulation and give a second and third reading by title only on Ordinance No. O-20-37 Amending Ordinances No. O-19-45 establishing classification and salary ranges for certain City Employees, repealing Ordinances and parts of Ordinances in conflict herewith.

7 yeas.

The Law Director read the Ordinance by title only.

Motion by M. Purkey and seconded by K. Fickert to pass the Ordinance as read.

7 yeas.

Motion Passes.

President of Council declared Ordinance No. O-20-37 passed as read.

M. Purkey introduced O-20-39 regarding the Ohio Valued Policy Law. K. Swindler expressed more comfort with the legislation as it holds the insurer responsible to place a value on the properties.

Motion by M. Purkey and seconded by J. McKay give the first reading by title only on Ordinance No. O-20-39 An Ordinance establishing the Ohio Valued Policy Law

7 yeas.

Motion Passes.

The Law Director read the Ordinance by title only.

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

M. Purkey introduced O-20-40 establishing a “Designated Outdoor Refreshment Area” in the City of Wilmington.

Motion by M. Purkey and seconded by K. Fickert give the first reading by title only on Ordinance No. O-20-40 An Ordinance approving an application for a “Designated Outdoor Refreshment Area” an establishing a Designated Outdoor Refreshment Area in the City of Wilmington Ohio.

5 yeas. 2 abstain (K. Swindler, M. Purkey)

Motion Passes.

The Law Director read the Ordinance by title only.

M. Purkey asked that a second and third reading be on the next agenda.

Public Works Committee – Chairperson K. Swindler had two pieces of legislation to present and introduced O-20-34 regarding the Stormwater Program.

Motion by K. Swindler and seconded by M. Purkey to suspend the rules and regulations and give a second and third reading by title only on Ordinance No. O-20-34 An Ordinance adding Chapter 924 Stormwater Utility to the Codified Ordinance of the City of Wilmington and creating a fund.

Motion Passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by M. Purkey to pass the Ordinance as read.  
7 yeas.

Motion Passes.

President of Council declared Ordinance No. O-20-34 passed as read.

K. Swindler introduced O-20-35 regarding sewer rates.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give a second and third reading by title only on Ordinance No. O-20-35 An Ordinance amending Chapter 923 Sewer Charges of the Codified Ordinance of the City of Wilmington in order to provide for an increase in sewer rates, repealing any and all legislation inconsistent herewith.

Motion Passes.

The Law Director read the Ordinance by title only.

Motion by K. Swindler and seconded by K. Fickert to pass the Ordinance as read.  
7 yeas.

Motion Passes.

President of Council declared Ordinance No. O-20-35 passed as read.

Solid Waste/Recycling Committee- Chairperson J. McKay had one piece of legislation regarding the acceptance of a gift and thanked the company for the donation.

Motion by J. McKay and seconded by N. Eveland to give the first reading by title only on Resolution No. R-20-32 Accepting a gift from Mining & Reclamation Incorporated for the City of Wilmington Sanitation Department.

7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

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

7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

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

7 yeas.

Motion Passes.

President of Council declared Resolution No. R-20-302 passed as read.

## **REPORTS TO COUNCIL**

A motion was made by M. Purkey and seconded by J. McKay to accept the Income Tax Report.

## **OPEN TO PUBLIC**

## **ADJOURNMENT**

A motion was made by B. Liermann at 8:52 p.m.

President M. McKay declared meeting adjourned.

ATTEST:

  
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President of Council

  
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Clerk