

Wilmington City Council met on Thursday, October 3, 2013, with President Pro Tem Mark McKay presiding.

Call to Order

Roll Call: Jaehnig, present; Wells, present; Stuckert, present; Wallace, present; Mead, present; Siebenaller, present; McKay, present.

Chief Weyand was also present.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

President Pro Tem of Council asked cell phones to be set to silent mode.

President of Council - President Pro Tem McKay explained that the President of Council and the mayor were both absent.

A motion was made by Wells and seconded by Stuckert to approve the minutes of the last regular meeting, September 19, as presented.

Motion passed.

Minutes approved as presented.

Mayor - In the absence of Mayor Riley, President Pro Tem McKay performed the swearing in ceremony of Jack Coates, III, a new firefighter/EMT with the City of Wilmington.

Chief Andy Mason thanked the mayor and council for allowing them to hire Firefighter/EMT Coates.

President Pro Tem McKay welcomed Firefighter/EMT Coates. He asked for an update on the JETT job tracking from Councilman Jaehnig.

Councilman Jaehnig said that the job count was now at 550, a 113 job increase from the last report. There are an additional 20 jobs from Custom Molded, 21 more jobs at Ahresty, 19 at ATSG, 4 from PlugSmart, and Cole Taylor added 49 employees. That leaves 200 to go before Christmas.

Councilman McKay said that PlugSmart is in the downtown area on South Street.

Auditor – In the absence of Auditor David Hollingsworth, there was no report.

Asset, Acquisition and Use. - Chairperson Bob Mead announced three readings on an ordinance declaring the property at the corner of Lowes Drive and Prairie Avenue to be surplus and authorizing the mayor to enter into a purchase agreement for these parcels. He explained that the city has no use for these properties and so they wish to sell them.

A motion was made by Mead and seconded by Stuckert to give the first reading only on the ordinance Declaring Parcels #2900160410 and #2901604080, More Commonly Known as the Corner of Lowes Drive and Prairie Road, Wilmington, Ohio, to be Surplus Property, Authorizing the Mayor to Enter Into a Purchase and Sale Agreement for Said Parcels, Declaring an Emergency.

President Pro Tem asked for discussion.

Councilman Wells asked if there was a minimum bid. Mead answered that the suggested minimum bid is \$20,000.

Seeing no more discussion, President Pro Tem called for vote.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mead and seconded by Stuckert to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes.

Director of Law read the ordinance by title only.

A motion was made by Mead and seconded by Stuckert to pass the ordinance as read.

Roll call: Wells, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes.

Motion passed.

President Pro Tem of Council declared Ord. No. 5112 passed as read.

Finance Committee - Chairperson Mead introduced legislation making supplemental appropriations: From the State Forfeiture Fund to Program Expenses - \$4,300.00 and From the General Fund to Contract Services - \$2,200.00. He explained the contract services was the additional money needed to roll over the notes earlier in the year.

Councilman Jaehnig added that the additional costs were incurred because of the additional work bond counsel had to do in because of council requests for information. He said that it was \$2200 that the city did not need to spend.

A motion was made by Mead and seconded by Stuckert to give the first reading only on the ordinance Making Supplemental Appropriations.

President Pro Tem asked for discussion.

Seeing none, President Pro Tem called for vote.

Motion passed

Director of Law read ordinance by title only.

Councilman Wells said that he thought for \$2200 it had to be more than just talking on the telephone for a few minutes.

Brenda Woods explained that it was talking on the telephone and multiple changes of the bond documents.

A motion was made by Mead and seconded by Siebenaller to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes.

Director of Law read the ordinance by title only.

A motion was made by Mead and seconded by Stuckert to pass the ordinance as read.

Roll call: Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes.

Motion passed.

President Pro Tem of Council declared Ord. No. 5113 passed as read.

Councilman Mead introduced legislation making miscellaneous transfers in the water department to pay for additional sludge disposal.

A motion was made by Mead and seconded by Siebenaller to give the first reading only on the ordinance Making Miscellaneous Transfers.

President Pro Tem asked for discussion.

Seeing none, President Pro Tem called for vote.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mead and seconded by Siebenaller to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes.

Director of Law read the ordinance by title only.

A motion was made by Mead and seconded by Siebenaller to pass the ordinance as read.

Roll call: Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes;

Wallace, yes; Mead, yes.

Motion passed.

President Pro Tem of Council declared Ord. No. 5114 passed as read.

Water Committee - Chairperson Wallace had no report.

Streets Committee - Chairperson McKay said that the signs were placed on Virginia Circle to help alleviate traffic congestion during school hours. We will also start patrolling that and hopefully the situation will improve. He said they were working on putting together a Streets Meeting next Thursday.

Solid Waste/Recycling - Chairperson Wells had no report.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Judiciary Committee - Chairperson Siebenaller had no report.

Safety Committee - Chairperson Wells had no report.

Downtown Revitalization Committee - Chairperson McKay had no report.

Parks and Recreation Committee – Chairperson Jaehnig said that the bridge over the pond has been renovated with the help of John Stanforth.

Income and Levy Tax Committee – Chairperson Jaehnig had no report.

Service Director - Service Director Reinsmith had no report.

Safety Director – Safety Director Russ Burton had no report.

Reports

A motion was made by Wells and seconded by Stuckert that the Income Tax Report – September 3013, be accepted as presented.

Motion passed.

Reports accepted as presented.

President Pro Tem McKay opened the meeting up to the general public and/or members of council to address council while in session.

Paul Hunter - At the last meeting, the council voted to spend \$8400 in Wilmington taxpayer money to demolish a privately owned house, 142 N. Mulberry. In my opinion, the demolition is an improvement to the property for the property owner's benefit. A building lot with a deteriorating and unsafe building is of very little value, but a cleared and vacant lot in the heart of the city has considerable value. The city should at least attempt to repay the taxpayers by taking ownership of the approved parcel for resale and development. There are delinquent taxes on the property. According to State statute, the legislative authority of a municipal corporation may declare, by ordinance, that it is in the public interest for the municipal corporation to acquire tax-delinquent real property within the municipal corporation.

Service Director Reinsmith – This property has been in violation of the zoning and building codes since the 1980s. It has changed hands many times recently, going in and out of estate. Now it's back in estate again and it has back taxes due on it. We had to remove the chimney last year because it was falling into the neighbor's property. The property has been condemned and is imminent danger to public health and safety. The fire department has been in there. There have been people living in there. They're probably going to burn the house down. I understand that we have to spend taxpayer money, but we have ordinances on the book that concern property maintenance.

[Discussion of property]

Service Director Reinsmith explained that \$14,000 of the demolition costs were going to come from the CDBG Formula grant. The entire cost of demolition is higher than normal because asbestos was found in the home.

Councilman Mead – Said that the committee had discussed that in the future they should have more discussion about using General Fund money to do work on other people’s property. As long as money is in short supply, perhaps we should not use our money for that purpose. We could find it somewhere else.

Councilman Jaehnig asked if any homes recently had been demolished with General Fund money. Service Director Reinsmith answered that they have used grant money. He added that when the government is made aware of a serious problem and we ignore it, there could be negligence involved. If someone gets hurt, they are going to be coming to us with the deep pockets to sue us. We can pay them now or pay them later. Councilman Mead said that would be the time for the Service Director to send the Law Director to council to explain what our obligations are so we can act appropriately.

President Pro Tem McKay asked if anyone else wished to address council while in session.

Seeing no one else who wished to speak, President Pro Tem McKay asked for a motion to adjourn.

A motion was made by Wells to adjourn.
President Pro Tem declared the meeting adjourned.
Council adjourned.

ATTEST:

President of Council

Clerk