

Wilmington City Council met on Thursday, October 17, 2013, with President Scott Kirchner presiding.

Call to Order

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

Chief Weyand was also present.

A motion was made by Mead and seconded by Stuckert to excuse the absent member (Councilman Wells).

Motion passed. All yeas.

Absent member excused.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

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

President of Council - President Kirchner:

A motion was made by McKay and seconded by Mead to amend the minutes of the October 3 meeting to replace "President Kirchner" with "President Pro Tem McKay" on the final page of the minutes.

Motion passed. All yeas.

Minutes amended.

A motion was made by Stuckert and seconded by Siebenaller to approve the minutes of the last regular meeting, October 3, as amended.

Motion passed. All yeas.

Minutes approved as amended.

President Kirchner announced that the City of Wilmington, in conjunction with the Wilmington Tree Commission, is holding a Fall Foliage Photography Competition. Information is available on the City of Wilmington website. Also, there will be a Small Business Resource Forum, hosted by Representative Cliff Rosenberger, on Monday, October 28, from 9 a.m. to 11:30 a.m. in the Community Room of the Municipal Building. Finally, Kori Cioca, will be receiving the Lamplighter Award on Thursday, October 24, at the General Denver.

Councilman Jaehnig stated that the documentary "The Invisible War," which discusses sexual abuse and rape in the military, will be showing at the Murphy Theatre also.

Mayor – In the absence of Mayor Riley, there was no report.

Auditor - Auditor David Hollingsworth: Our office has been compiling budget requests from the departments and are waiting on insurance information. The office should have something compiled soon so that council can start budget workshops.

Asset, Acquisition and Use. - Chairperson Bob Mead had no report.

Finance Committee - Chairperson Mead introduced legislation on supplemental appropriation requests for financial housekeeping items.

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

President asked for discussion.

Seeing none, President called for vote.

Motion passed. All yeas.

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: Jaehnig, 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 Siebenaller to pass the ordinance as read.

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

Motion passed. All yeas.

President of Council declared Ord. No. 5115 passed as read.

Councilman Mead introduced legislation requesting supplemental appropriations in order to fund the relocation of the M&R Department to Nelson Avenue and the relocation of the Water Department storage to the M&R Department's current facility. He explained there \$85,000 would come from the water company and \$2,600 would come from the General Fund, for a total \$87,600 for the move.

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

President asked for discussion.

President Kirchner said he did not see where the \$2600 was coming out of the General Fund. Auditor David Hollingsworth explained that the \$2600 would be appropriated out of the M&R Fund.

Councilman Jaehnig elaborated that 75% of the equipment for the M&R Department sits outside in the rain and is not protected. This is causing wear and tear on the equipment. The Water Department is storing a lot of equipment in water towers, which have a lot of condensation.

Councilman Siebenaller asked if Denny anticipated needing additional supplementals by the end of the year to help with the move. Denny Gherman said he thought the number is accurate and they could do the move within that budget.

Paul Hunter pointed out that they are using too much electric in the Nelson Avenue building because of electrical problems. He wondered if the electrical problems would be solved before the M&R Department moved out there. Denny Gherman said the time frame for the move was immediate. He explained that biggest part of the \$87,000, the biggest part, are electrical improvements in there. Paul Hunter said there are transformers running and drawing power that are not needed. He added that they are going to put a meter on that building to make sure that they are not undercharging TBS. Service Director Reinsmith said he thought they were working on deactivating the transformers.

[Further discussion of electrical usage at the Nelson Avenue site]

Seeing no further discussion, President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

A motion was made by Mead and seconded by McKay 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;

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: Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Stuckert, yes;

Motion passed. All yeas.

President of Council declared Ord. No. 5116 passed as read.

Councilman Mead introduced three readings on an ordinance making supplemental appropriations to the M&R fund in the amount of \$105,500.00, which is to be used to buy two dump/snow plow trucks.

Denny Gherman explained that the current trucks are 15 years old. The average life of a snowplow is 8 years. We were hoping to get another year, but it is just impossible.

Councilman Jaehnig – There are trucks that are available now and these trucks are getting harder and harder to find because of EPA emission standards that the industry has not been able to meet.

Denny Gherman – There are no new trucks available on state bid that meet emissions. Everyone is looking for used trucks and they are few and far between.

Councilman Mead – These are used trucks that have been refurbished and have new dump beds and new snow plows. The pictures of the trucks looked great. We saw the one of the old trucks and it was in very bad shape.

A motion was made by Mead and seconded by Jaehnig to give the first reading only on the ordinance Making Supplemental Appropriations.
President asked for discussion.

Councilman Stuckert – We had some discussion with Mary Kay and I would like the Auditor to explain – the question that I had in the committee meeting was if we could have a way to identify where this \$105,000 is coming from in the budget.

Auditor David Hollingsworth – Mary Kay had put together some information to tell me what was discussed at the Finance Committee meeting. Year-to-date, council has approved supplemental appropriations that added approximately \$450,000 to the original budget. Our increase in revenues, being primarily the inheritance tax that we did not budget for originally, is up about \$382,000. So, you're net appropriations over additional revenues is about \$70,000 roughly. You have taken \$70,000 in the General Fund out of the carryover balance.

Councilman Stuckert – Can you enlighten us to where we are in terms of the carryover balance.

Auditor David Hollingsworth – It depends on what kind of reserve you want to carryover. At the beginning of the year, we were right at 35 or 36 percent, I believe. Our general rule is 25% is what we want to keep as a carryover. That is a moving target. It is going to change at the end of the year because at the end of the year, we don't have that much revenue coming in and we're spending more than what we're going to take in. It's part of the budget process. Mary Kay took a look at what had been requested that will affect the General Fund. If we spend everything that we've appropriated for 2013, she projected the cash balance to be about 2.3 million dollars at the end of the year. Right now, we're sitting at about 3 million dollars in the account at the end of September. You can see there is going to be a drain on the General Fund between now and the end of the year. That happens every year because of the way our revenue stream comes in. The 25%, you're probably still within that, but that is going to change based on income tax collections and supplemental appropriations.

[Discussion of carryover balance]

Councilman Jaehnig clarified that we would be buying two new trucks with new plows plus a new bed for a third truck.

Denny Gherman - This would also leave the city with a flatbed truck to haul the chipper box and move the sound stage. The new trucks would be low profile and better suited for subdivisions.

Seeing no further discussion, President called for vote.
Motion passed. All yeas.

Director of Law read ordinance by title only.

A motion was made by Mead and seconded by McKay 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; Stuckert, yes; Wallace, yes.

Director of Law read the ordinance by title only.

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

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

Motion passed. All yeas.

President of Council declared Ord. No. 5117 passed as read.

Councilman Mead said that Councilman Wells is back home. There is an outside chance that he might come back to council late in November.

Water Committee - Chairperson Wallace had no report.

Streets Committee - Chairperson McKay thanked council for passing the truck purchase through Finance.

Solid Waste/Recycling – In the absence of Chairperson Wells, Councilman Jaehnig had no report.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Judiciary Committee - Chairperson Siebenaller had no report.

Safety Committee - In the absence of Chairperson Wells, Councilman McKay had no report.

Downtown Revitalization Committee - Chairperson McKay announced the Chocolate Walk on Friday, October 18.

Parks and Recreation Committee – Chairperson Jaehnig had no report.

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

Service Director - Service Director Reinsmith reported that ODOT approved the repair on the new bridge on South Street. They plan to start on Monday and will have one lane of traffic maintained. It may take up to a month to repair.

Councilman Mead asked about the status of the paving on the subdivision streets.

Service Director Reinsmith said they were under contract. The contracts state that they are to be done by November 1.

President Kirchner asked about the schedule for leaf pickup.

Service Director Reinsmith stated around November 4 the city would start picking up leaves.

Safety Director – Safety Director Russ Burton had no report.

Reports

A motion was made by McKay and seconded by Jaehnig that the Auditor-Treasurer Report, September 2013, be accepted as presented.

Motion passed.

Reports accepted as presented.

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

President Kirchner announced that there would be an Ad Hoc Committee meeting coming up in the next week to discuss two items: Tree Commission legislation review and a potential gas aggregation in the future.

Councilman McKay mentioned that the mayor is in Ukraine this week. The mayor hopes to attract new business for Wilmington while there and foster sister city relationships.

President Kirchner asked if anyone else wished to address council while in session.

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

Councilman Siebenaller stated that he would like to piggyback a Judiciary Meeting onto the Ad Hoc meeting.

A motion was made by McKay to adjourn.
Motion passed.
Council adjourned.

ATTEST: _____
President of Council

Clerk