

Wilmington City Council met on Thursday, March 20, 2014, at 7:30 p.m. with President Cindy Peterson presiding.

Call to Order

Roll Call: Jaehnig, present; Spicer, present; Stuckert, present; Mead, present; Miller, present; Milburn, present; McKay, present.

Chief Weyand was also present.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

President of Council -

A motion was made by McKay and seconded by Spicer to approve the minutes of the last regular meeting, March 6, as presented.

Motion passed.

Minutes approved as presented.

Lee Hendee – Hendee Broadcasting Company presented an update on a new radio station in Wilmington. He explained that we have two radio stations licensed in Wilmington and gave a brief history as follows: Local radio began in Wilmington on December 6, 1964, by a man by the name of Francis J. Stratman. He signed WMWM radio on at that time. Then along came Ed Shafer in 1974, and he signed WDHK FM 102.3. That station was named for Darrel Heckerdson, who did the original engineering, not only for WDHK but WMWM back years ago. He passed before WDHK signed on. After a time, WDHK was sold to Dick Jones. He later purchased the former WMWM, which is now known as WKFI. Both stations were then combined and operated together for several years. After a time, Mr. Jones sold both stations. The Baldwin Family of Fairfield Ohio bought WKFI and then WSWO. They sold WKFI to Joe Mullens, who continues to operate WKFI, WBZI, and WEDI out of Xenia. The Baldwin family continues to own FM 102.3, which is now WKLN, known as K-Love here in the area. Our station is going to be your local station. We're not really represented that well locally. We will be your local station, supplying the community with the type of programming that will give you news, weather and information that has been lost on the local scene as far as broadcasting. We're here to service the community. It's not about me...it's about Wilmington, Ohio, and the surrounding area. We'll be on the air 24/7/365, with some classic rock, but community discussion, talk shows designed to interact with the area and the people living here. We'll have opportunities for churches, schools and other to participate in much of our programming. We will be working, hopefully, with local law enforcement, fire and EMS to be able to inform the public in times of emergency. We're a non-profit and a non-commercial station. We do not sell advertising. We are publically supported. We encourage underwriting, which is funding of a particular program and for overall operation of the station. On-air credit can be given by stating the programming is being underwritten by the given businesses. We can't publically endorse a commercial business. We can't tell you to go to a business. I hope that with the necessary underwriting and donations to WALH-LP can possibly be on the air, maybe as early as June. If there are questions, I can answer them after council or right now.

Mayor Riley - I know about a year ago you were actually videoing and showing part of the council session. Is that something you will be thinking about doing?

Lee Hendee – We will be at least with the station able to provide an audio portion of that on the station.

Councilman McKay – How many folks are you going to have working there in order to run it 24/7/365?

Lee Hendee – Hopefully we will be working with Wilmington College and Wilmington High School to have some intern opportunities.

Councilman McKay – It just seems like through the night it might be tough.

Lee Hendee – We can also, with software, automate things and voice track weather forecasts and stuff. If there is an emergency, we can be live. It's not like the old days that you have to be there for the transmitter. I can track the transmitter with an app on my cellphone.

Councilman McKay asked how people make donations and who do they contact. Lee Hendee answered that he had handouts at the council with his contact information.

[Discussion of station]

Mayor - Mayor Riley acknowledge that there was a Girl Scout in the council audience. Also Site Selection Magazine recently cited Wilmington, Ohio, in being in the top ten nationally of cities of 10,000-50,000. He offered a special thanks to Brett Dixon who was not mentioned in the original article covering the story. The mayor announced a Tire Amnesty event – April 26, 2014, at the Clinton County Engineer's Office on Fife Avenue. For more information contact the Clinton County Solid Waste Management District at 382-6177.

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

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

Finance Committee - Chairperson Mead had no report.

Water Committee - Chairperson McKay had no report.

Streets Committee –

Chairperson McKay opened the public hearing on a vacation of a portion of Compton Lane.

He introduced Todd Hamula with the Zaremba Group and Mike LaSalle, an engineer from P&L Systems. This has to do with the proposed CVS store coming into the block near Compton Lane. They need to have a portion of Compton Lane vacated because that is where the store will go. This has gone through Planning Commission and Board of Zoning Appeals.

Todd Hamula - We are developing the southeast corner of Main Street and Walnut Street. We are proposing building an approximately 12,000 square foot CVS Pharmacy building and relocating from their current location. CVS will own the property. All parcels are under contracts. We plan on closing on the properties this summer and break ground at the end of the summer. It will be a drug store next year.

Paul Hunter asked what would happen to Compton's shop. Todd Hamula said that he thought they were going to relocate. Todd Hamula described the CVS project site plan.

[Discussion of Site Plan]

Chairperson McKay closed the public hearing on the vacation of Compton Lane.

A motion was made by McKay and seconded by Mead to give the first reading only on the ordinance To Vacate a Portion of Alley Known as Compton Lane, and Declaring an Emergency.

Seeing no discussion, President called for vote.

Motion passed

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Spicer, yes; Stuckert, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Spicer, yes; Stuckert, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes.

Motion passed.

President of Council declared Ord. No. 5143 passed as read.

Solid Waste/Recycling - Chairperson Jaehnig introduced legislation authorizing the contract for the vertical expansion of the landfill. Councilman Jaehnig explained that the legislation went through committee at the beginning of the year but was never sent on to council. We approved moving forward on bids on expansion of the landfill. It is in the budget approved from last year. For that reason, we have the legislation on for three readings, because now we're running behind. The city has been moving forward, but council needs to put the legislation in place so they can continue.

Service Director Reinsmith explained that one reason for the oversight is because the engineering firm for the project did the bid specs and the legal notice. A city office normally does it and they would have realized that the legislation was not in place. We have one bid in place and it came below the amount appropriated.

[Discussion of bids]

Mayor Riley said that we need to get things done as soon as possible so that we do not get into an overfill situation. **If we get into an overfill situation, we will have to haul our trash to Georgetown.**

Councilman Stuckert said he has heard constituents express concern about why we are committing to a \$700,000 debt when we may in fact be leasing the landfill. I told them I would resist doing anything at the landfill until we could have a public explanation of what our plans are.

Councilman Jaehnig said that if we do not do the vertical expansion, it will reduce our options of what we can do with the landfill. We will run out of space and have to close the landfill before we can move ahead with contracting it out if we do not take care of the vertical expansion right now. Closing the landfill will be a \$3,000,000 immediate cost to the citizens plus 30 years of review afterward. The committee did look at another landfill that was being run by the company to which we are considering a lease agreement. They have come back to the administration with a proposal that is being reviewed right now. It is our intention at our next meeting on Monday, March 31, to review that particular proposal and then go into public hearings. We are at the point right now that if we do not go ahead with the expansion, we will run out space with or without leasing.

President Peterson asked if the public hearing would be on March 31. Councilman Jaehnig said it would be the first committee meeting in which we will be reviewing the actual proposal that the administration and Santeck have been negotiating. After that, we can go forward and talk to the public.

Mayor Riley – I would also note that the funds were set aside in the Enterprise Fund. We need to keep the landfill operational.

[Discussion of the landfill project and financing]

Councilman Stuckert expressed concern that council is very open with the community about future plans. Councilman Jaehnig agreed and said that is how they plan to move forward. We asked the administration and Santeck to put hard numbers together so that we can present them to the public. We agree with you about the concern of the public and about being open and forthright with the community.

Councilman Stuckert said that he hears that citizens do not want larger volumes being brought in from the outside. There will be a lot of tough questions.

[Discussion of landfill]

Councilman Spicer asked if the money was in line. Councilman Jaehnig answered that it was. Service Director Reinsmith said it was in the process of being collected.

[Discussion of timeline]

Councilman Mead said he agreed with Councilman Stuckert. He said he did not understand why it was so urgent that it has to be done today.

Paul Hunter asked if this would eat into the carryover in the fund. Councilman Jaehnig clarified that the carryover Mr. Hunter was speaking of was in the Enterprise Fund. He further answered that the excess in the fund was created in order to do this expansion.

A motion was made by Jaehnig and seconded by Spicer to give the first reading only on the ordinance Authorizing the Director of Public Service to Enter into Contract for the Construction of the East Vertical Expansion (Phase IV) of the City Landfill After Solicitation of Competitive Bids, and Declaring an Emergency.

Seeing no further discussion, President called for vote.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Jaehnig 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; Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Director of Law read the ordinance by title only.

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

Roll call: Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Stuckert, yes.

Motion passed.

President of Council declared Ord. No. 5144 passed as read.

Councilman Jaehnig announced that there would be a Solid Waste Committee meeting at 6:30 p.m. on March 31.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Judiciary Committee - Chairperson Jaehnig introduced the second and third reading on legislation regarding the Wilmington Succeeds Homesteading Grant program.

President Peterson said at the last council meeting, there were questions about how the applications would be administered.

Mayor Riley explained that the selection committee would consist of the mayor, Law Director Brian Shidaker, and Clinton County Regional Planning Director Chris Schock.

A motion was made by Jaehnig and seconded by Stuckert to suspend the rules and give the second and third reading on the resolution Expressing Support for the Wilmington Succeeds Program and Adopting Rules and Process for Allocation of the Wilmington succeeds Homesteading Grant.

Roll call: Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Stuckert, yes; Mead, yes.

Director of Law read the resolution by title only.

A motion was made by Jaehnig and seconded by Miller to pass the resolution as read.

Roll call: Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Stuckert, yes; Mead, yes; Miller yes.

Motion passed.

President of Council declared Res. No. 2356 passed as read.

Councilman Jaehnig introduced legislation declaring taxi vehicles surplus. This is legislation that was passed earlier in the year, but because of changes in state requirements, certain vehicles need to be put back into services and other need to be declared surplus.

A motion was made by Jaehnig and seconded by Mead to give the first reading only on a resolution Rescinding Resolution No. 2355 and Declaring Surplus Property, To Wit: Transit Department Vehicles Valued at More Than \$1000, and Authorizing the Sale of Said Vehicles, and Declaring an Emergency.

President asked for discussion.

Seeing none, President called for vote.

Motion passed.

Director of Law read resolution by title only.

A motion was made by Jaehnig and seconded by Milburn to suspend the rules and give the second and third reading on the resolution by title only.

Roll call: McKay, yes; Jaehnig, yes; Spicer, yes; Stuckert, yes; Mead, yes; Miller, yes; Milburn, yes.

Director of Law read the resolution by title only.

A motion was made by Jaehnig and seconded by Mead to pass the resolution as read.

Roll call: Jaehnig, yes; Spicer, yes; Stuckert, yes; Mead, yes; Miller yes; Milburn, yes; McKay, yes.

Motion passed.

President of Council declared Res. No. 2357 passed as read.

Safety Committee - Chairperson Jaehnig had no report.

Downtown Revitalization Committee – Convener McKay had no report.

Parks and Recreation Committee – Convener Stuckert 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 McKay and seconded by Jaehnig that the Auditor-Treasurer Report – February 2014 be accepted as presented.

Motion passed.

Reports accepted as presented.

Councilman Stuckert asked questions about the funding mechanism of the insurance, which were answered by Mary Kay Vance.

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

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

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

A motion was made by Jaehnig to adjourn.

Motion passed.

Council adjourned.

ATTEST:

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President of Council

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Clerk