

Wilmington City Council met on Thursday, May 15, 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.

Sergeant Cravens 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 Miller to approve the minutes of the last regular meeting, May 1, as presented.

Motion passed.

Minutes approved as presented.

Mayor - Mayor Riley – The flag is at half-staff on May 15 each year for Peace Officer Memorial Day. Nationally we lose 150 police officers per year in the line of duty. Having the flag at half-staff allows us to take a moment to think about the service they provide.

Mayor Riley – The Supreme Court has stated recently that municipalities can start their meetings with prayer. We would be glad to look into this and talk about it with council. I think it would be appropriate to have a moment of silence at the beginning of each meeting to pray or not pray as we feel led.

Councilman Stuckert – It has been a big part of our history in the past. I feel it is an appropriate way to open a body like this, as long as it is voluntary and open to any of the churches and pastors. I would welcome discussion.

Mayor Riley – I have several friends who are ministers. I might talk to them about whether they could draft a prayer that would be appropriate for this type of function.

Councilman Stuckert – I have had more than one citizen ask me about this.

Councilman McKay – I am in favor of it whether it is a moment of silence or a generic prayer.

A motion was made by Jaehnig and seconded by Spicer to move the issue into Ad Hoc Committee for further discussion.

Councilman Mead – I think it is a great idea. Everyone here is capable of standing and giving an opening prayer.

Mayor Riley – I need this type of guidance every day.

President Peterson – The issue of prayer before council meetings will be taken to Ad Hoc Committee.

Paul Hunter – A moment of silence would be the least coercive.

President Peterson asked for a moment of silence and reflection.

[Moment of silence observed]

Mayor Riley presented a proclamation for Lupus Awareness Month as follows:

Whereas, lupus is a chronic autoimmune disease in which the immune system is unbalanced, causing inflammation and tissue damage to virtually every organ system in the body, including the skin, lungs, heart, kidneys, and brain; and

Whereas, more than 5 million people worldwide suffer the devastating effects of this disease, and each year over 100,000 women, men, and children are newly diagnosed with lupus, the great majority of whom are women of childbearing age. Currently, 55,000 Ohioans are affected with lupus; and

Whereas, many physicians worldwide are unaware of symptoms and health effects of lupus, causing people with lupus to suffer for many years before they obtain a correct diagnosis and medical treatment; and

Whereas, there is a deep, unmet need worldwide to educate and support individuals and families affected by lupus, and there is an urgent need to increase awareness in communities worldwide of the debilitating impact of lupus; and

Whereas, in order to increase awareness, May 10, 2014, has been designated World Lupus Day.

Now, Therefore, I, Randy Riley, Mayor of the City of Wilmington, Ohio, hereby designate the entire month of May 2014 to be LUPUS AWARENESS MONTH throughout the City of Wilmington, and ask that all citizens show their support to our fellow citizens who suffer from this devastating disease.

[Applause]

Auditor - Auditor David Hollingsworth had no report.

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

Finance Committee - Chairperson Miller presented legislation making supplemental appropriations.

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

President asked for discussion.

Seeing none, President called for vote.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Miler and seconded by McKay 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 Miller and seconded by McKay 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. 5157 passed as read.

Councilwoman Miller introduced legislation making miscellaneous transfers.

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

President asked for discussion.

Seeing none, President called for vote.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Miller 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 Miller 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. 5158 passed as read.

Councilwoman Miller – At our last Finance meeting, we discussed that we would start an earlier budget season and get it done and enjoy December – partly for sanity and partly for selfish reasons. This is the first Christmas for me with my daughter, so I would like a different play-out than last year. Starting earlier, we would like to review the Auditor's report that came back. There is some good information in there. We are encouraging anyone who has a topic, whether it be a specific department or a money-saving idea, feel free to champion it. We will work together to get some of the low hanging fruit to save some money. We will go over special projects that anyone wants to look at with a fine-tooth comb.

President Peterson - If people can get agenda items to Councilwoman Miller prior to the meeting, then the administration can work on getting research and the appropriate people scheduled for the meetings.

Councilwoman Miller – Our goal is to have the subject matter expert and real numbers before we discuss an issue. Randy and I are shooting for November.

Mayor Riley - One of the things that will be definitive is what the county projects for our revenue for the following year. We usually are able to estimate that pretty well.

Councilwoman Miller – They said that the number does fluctuate, but usually they have a pretty good guess. If you have estimated previously that we should have a 30% carryover, there is a good chance that a little bit of fluctuation will still keep us above the 25%.

Mayor Riley – Right now, we are considerably above the 30% carryover.

President Peterson – I have somehow recovered from your comments during the committee meeting that you would rather spend the holidays with your daughter than those of us on council.

Councilwoman Miller – Yes. It is my first Christmas with my daughter.

Councilman McKay – When would you anticipate having the first meeting?

Councilwoman Miller – I would like to talk with the Finance Committee at the next meeting to set that up. There are things that we will not get to this budget season – it is just not realistic. But I would like to get a balanced budget and have the opportunity to really scan over some of the things. I would like to know what is important to Councilman McKay and to Councilman Mead that we would really like to analyze and then obviously anybody else on council, whether it be for their committee that they want us to review as a team. We will go over what we want first and then add on before we put too much on our plate.

Water Committee - Chairperson McKay had no report.

Streets Committee - Chairperson McKay had no report.

Solid Waste/Recycling - Chairperson Jaehnig – We have a committee meeting tentatively scheduled on May 27. Hopefully we will be able to set the second public hearing at that meeting.

Wastewater/Sewer Committee - Chairperson Milburn had no report.

Judiciary Committee - Chairperson Jaehnig introduced legislation renewing the agreement between the City of Wilmington and DWCIC. This is something that is done every five years.

A motion was made by Jaehnig and seconded by Stuckert to suspend the rules and give the second and third reading on the resolution Authorizing the Formation of a Partnership with Clinton County to Act as the Official Grantee for the FY 2014 Community Housing Impact and Preservation Program and, Declaring an Emergency. 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.

Councilman Jaehnig asked to withdraw the motion as he had mistakenly introduced the legislation subject matter as regarding DWCIC rather than the CHIP program.

Councilman Jaehnig introduced the second and third reading on legislation authorizing the formation of a partnership between the city and the county for future CHIP programs.

A motion was made by Jaehnig and seconded by Stuckert to suspend the rules and give the second and third reading on the resolution Authorizing the Formation of a Partnership with Clinton County to Act as the Official Grantee for the FY 2014 Community Housing Impact and Preservation Program and, Declaring an Emergency. Roll call: Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Stuckert, yes; Mead, yes; Miller, yes.

Director of Law read the resolution by title only.

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

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

Motion passed.

President of Council declared Res. No. 2362 passed as read.

Councilman Jaehnig introduced legislation to add a definition of skilled gaming to the zoning code definitions.

Councilwoman Miller noted that the phrase “significant portion” in the definition is vague and wondered if we could stand behind that legally.

Law Director Shidaker said he thought it was fine the way it was written.

Councilwoman Miller asked the benefit of the legislation being an emergency.

Councilman Jaehnig explained that legislation regarding games of skill was passed last month and is waiting to go into effect. Passing this legislation as an emergency will allow them to go into effect at nearly the same time.

A motion was made by Jaehnig and seconded by Spicer to give the first reading only on the ordinance Adopting a New Section in Chapter 1131 of the City of Wilmington Codified Ordinance Regarding Definition of Games of Skill, and Declaring an Emergency.

President called for vote.

Motion passed

Director of Law read ordinance by title only.

Jaehnig requested that the second and third reading be on the Agenda for the next meeting.

Safety Committee - Chairperson Spicer – Just a comment for Marian with the new baby. It is good thing she didn't join the Fire Department, because you don't always get your Christmases with your kids. I've eaten a lot of cold turkey.

Downtown Revitalization Committee – Convener McKay – The Wine Walk sponsored by the Main Street group is tomorrow night. It is sold out.

Parks and Recreation Committee – Convener Stuckert – The Parks and Recreation Department has been very active. On May 17, the Parks will be hosting the Kiwanis Bike Rodeo, Heather's Hope Tournament, and the Spring Blast. The city has not had to fund everything at the parks because so many people have come forward to volunteer and donate money. They are very enthusiastic at the meetings and are always looking for grants to maintain and improve the parks system.

President Peterson – We will have another committee in the future, the Cemetery Committee. What is the status of the cemetery?

Mayor Riley – We met this past week with the current Cemetery Board. Jason Walt will do an Audit of their books so when the transfer takes place we will have the latest financial figures. Danny Mongold is working on the personnel transfers. We will have a meeting next Thursday at 1:00 with the transfer team if Councilman Mead would care to attend.

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 – April 2014 and the Hotel Lodging Tax Report, be accepted as presented. Motion passed.
Reports accepted as presented.

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

Mayor Riley announced that the 6th Annual Senior Awareness Fair will be held at the Senior Center on Nelson Road.

Lora Abernathy asked verification of how much we were giving back to the county for the inheritance tax. Councilwoman Miller answered \$5034.41. Auditor David Hollingsworth explained that the total amount was \$12,000.00 but the account was short so the supplemental was needed for \$5000.00. We were notified at the end of the year that there was money that would need to be refunded to the county. That typically happens. Once the state audits the returns, they find out that maybe the money should have gone to a different jurisdiction. We did not know exactly how much until they got the final settlement.

Mayor Riley – I want to mention how pleased I am with the park. We have moved a lot of skateboarding material out to the old tennis court that was no longer being used by the Kroger. Since we have done that, every time I have gone to Kroger, there have been young people on the tennis court skating. My hat is off to Lori Williams and the Park Board. It is so much safer for the skaters to be there than in the alleys and other places around town. Our police department occasionally has pizza night where they have pizzas and talk to the kids. My granddaughter plays softball out there as well. I am very pleased with how well the parks are being run.

Paul Hunter – Councilman Jaehnig, the money we are paying to the Port Authority for the economic development contract. Is that about to run out?

Mayor Riley – I believe it goes until the fall.

Paul Hunter – You say you are going to send out a quarterly recycling report, but I have not seen one.

Councilman Jaehnig – I will check into that.

Mayor Riley – Donnie Maher and I went to Wright Patterson Air Force Base and took a tour of their recycling. It is an amazing operation. They have authority to enforce the recycling that we don’t have, but the way they do things is very interesting. They are like a mini-MRF. They process and sell all the recyclables themselves rather than going to a recycling facility. Paul Hunter asked for a full debriefing of the trip.

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.
President Peterson declared the meeting adjourned.
Council adjourned.

ATTEST: _____
President of Council

Clerk