

Wilmington City Council met in regular session on Thursday, June 4, 2015, at 7:30 p.m. with President Pro Tem Mark McKay presiding.

Call to Order

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

Chief Weyand was also present.

A motion was made by Mead and seconded by Spicer to excuse the absent members (Stuckert and Miller).

Motion passed. All yeas.

Absent members excused.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

Moment of silence observed

President Pro Tem of Council

A motion was made by Milburn and seconded by Jaehnig to approve the minutes of the last regular meeting, June 4, as presented.

Motion passed. All yeas.

Minutes approved as presented.

Mayor - Mayor Riley: The Clinton County Leadership Institute 2015 Class had their graduating ceremonies this evening. Also recognized for his leadership over the past 30 years was former Mayor David Raizk. It has been a pleasure to work with him.

Mayor Riley – Ollie's has opened in Meadow Park Shopping Plaza. It is nice to see that place filled with cars. Relay for Life will have their Paint the Town Purple Kickoff at 10 a.m. on Saturday. I encourage everyone to come and support them. The Banana Split Festival is June 12-13. Duane Weyand is one of the organizers and we thank him and the other Rotarians.

Auditor - Auditor David Hollingsworth had no report.

President Pro Tem McKay – There has been a request to change the order of the committee reports to have Cemetery Committee prior to Finance Committee.

A motion was made by Jaehnig and seconded by Spicer to amend the agenda as noted.

Motion passed. All yeas.

Agenda amended.

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

Water Committee - Chairperson McKay had no report.

Streets Committee - Chairperson McKay introduced an ordinance to adopt revisions to the downtown parking plan. The first change is to remove nine spaces near the building that used to be the Little Giant Diner. These spaces are privately owned and not part of the downtown parking system. The second change is to remove three parking spaces that no longer exist near the old News Journal building. The last change is to increase the time-limit from two-hour to four-hour for eight street-side parking spaces on West Main Street in front of the Cotton Junky and Chamber of Commerce.

Paul Hunter asked if the parking changes at the Little Giant would affect the farmers market in that building. Councilman McKay said it would not change that because ownership of the building has not changed from last year.

Councilman Jaehnig – These are spaces that are on the books but are not enforceable because they are on private property.

A motion was made by McKay and seconded by Milburn to give the first reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File to Adopt a Revised Downtown Parking Plan.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Solid Waste/Recycling - Chairperson Jaehnig – We had an excellent Solid Waste Committee this week. The Director of the Solid Waste Department has proposed an exciting business plan that will allow us to move forward with operating the landfill, which will make it more efficient, economical, and profitable. The next Solid Waste Committee Meeting will be next Thursday at 5 p.m.

Paul Hunter asked if cardboard is being addressed.

Councilman Jaehnig - Cardboard is part of his plan. The plan is great because it thinks outside the box and offers some new ideas but still is true to what we feel the citizens want us to do with the landfill.

Wastewater/Sewer Committee - Chairperson Milburn had no report.

Judiciary Committee - Chairperson Jaehnig introduced the second reading on the extension of terms for an additional seven years on the DWCIC UDAG loan.

A motion was made by Jaehnig and seconded by Mead to give the second reading only on a resolution Authorizing the Extension of Terms of a Certain UDAG Loan to the Downtown Wilmington Community Improvement Corporation (DWCIC) and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Safety Committee - Chairperson Spicer introduced legislation accepting grant proceeds for the Police Departments: From the United Way in the amount of \$500 for skate park nights; from the Ohio Department of Public Safety in the amount of \$20,489 for motorcycle training program; from HFC Safety Council in the amount of \$2,000 for a “Drive to Survive Campaign” for high school drivers; and from the Department of Justice in the amount of \$4,000 for bulletproof vest replacements.

A motion was made by Spicer and seconded by Jaehnig to give the first reading only on a resolution Accepting Grant Proceeds for the Police Department from the United Way, Ohio Department of Public Safety, HFC Safety Council and the Ohio Department of Justice.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Councilman Spicer introduced legislation on declaring a police vehicle to be surplus property.

A motion was made by Spicer and seconded by Jaehnig to give the first reading only on a resolution Declaring Surplus Property, to Wit: Police Department Vehicle Valued at More Than \$1000, and Authorizing the Sale of Said Vehicle, and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Councilman Spicer introduced legislation to enter into a MARC Radios Donation agreement.

Chief Weyand – We have all of the radios and they are in our dispatch center working now. All of the portables are ready to be issued out. The value of the radio equipment is \$114,000.

A motion was made by Spicer and seconded by Jaehnig to give the first reading only on a resolution Authorizing the Mayor to Enter into a MARCS Radios Donation Agreement, and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Cemetery Committee – Chairperson Mead – Larry Reinsmith will present a program showing what is happening at the cemetery. Later, we will discuss moving a little money around to pay for the improvements.

Larry Reinsmith presented a slide presentation on cleanup and improvements made at the cemetery since the beginning of April. Included in the cleanup and restoration were removing fallen trees, removal of many stumps, front gate restoration, restoration of the cannons, and other features. There was discussion of the mowing contractor, trees that still need to be removed, headstone restoration, and repairs and repurposing of existing office building. Service Director Reinsmith also spoke to future plans for Sugar Grove cemetery, including possibly a columbarium.

Service Director Reinsmith – Last year when we created the budget, we were not sure how we were going to pay for labor. I put more into employee line than we needed and less in the tree removal line. After we get the initial cleanup work done, I don't think it will be that expensive to maintain it.

Councilwoman Milburn asked what they were going to do with the pet cemetery. Service Director Reinsmith said it is open again so people can use it again.

Councilman McKay asked about the cemetery rates. Mayor Riley said the rates are on the website.

[Discussion of Sugar Grove Cemetery rates]

Mayor Riley – Service Director Reinsmith has done an excellent job and I can't thank him enough.

Finance Committee – In the absence of Chairperson Miller, Councilman Mead – I want to thank the Service Director, employees and administration for the work they have done at the Sugar Grove Cemetery. The private cemetery board did a great job keeping it open. Money had been put away for perpetual care of the cemetery and the City of Wilmington is able to use that to take care of Sugar Grove.

Councilman Mead introduced legislation making miscellaneous transfers: \$5000 from Safety Salaries to Incidentals; \$35,000 from Cemetery Salaries to Ground Maintenance; \$20,000 from Cemetery Salaries to Contract Mowing; \$20,000 from Benefit Insurance to Tree Removal; and \$10,000 from Benefit Insurance to Facility Maintenance.

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

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

Mead requested that the second and third readings be on the Agenda for the next meeting.

Service Director Reinsmith pointed out that the cemetery has brought in approximately \$19,000 in revenue since taking over.

Councilman Mead introduced legislation making supplemental appropriations: From Police Fund to Motorcycle Training Program -\$10,000; From General Fund to Income Tax Refunds - \$25,000.

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

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

Mead requested that the second and third readings be on the Agenda for the next meeting.

Auditor David Hollingsworth reported that the notes had been sold at a premium. The effective rate that the City will pay on the notes will be about 0.35%. We did not have to issue as many as we thought we would. The present value of savings on the interest cost will be a little over \$300,000.

Downtown Revitalization Committee – Convener McKay – The flowers are up and the flags were up for Memorial Day. We have a new wine shop in the downtown. The Main Street Office has moved to 100 W. Main by the Chamber of Commerce.

Parks and Recreation Committee – Convener Milburn – Saturday at 10 a.m. is the dog park opening. It is about 1.5 acres of area. There have been 161 shelter reservation requests so far this year. Banana Split Festival is coming up. From June 19 to June 21, we have the OFC Heating It Up Tournament. There also has been some vandalism at the Southeast Neighborhood Park, with the destruction of the portable toilet.

[Discussion of dog park]

Service Director - Service Director Reinsmith – Paving crew will start next Wednesday. They will start on Lakewood and work their way around. They will start milling on Wednesday and will follow up the next day with paving. They think they can get it done in ten days.

[Discussion of possible future paving and crack sealing]

Safety Director – Safety Director Russ Burton had no report.

#### Reports

A motion was made by Jaehnig and seconded by Milburn that the Income Tax Report – May 2015, 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.

Mike Stout – 656 Rombach Avenue – We have nuisance properties near where I live: 695 Fife Avenue and 680 Rombach, which has been empty for 35 years. I turn in a request to get it mowed, and it takes about five weeks. Maybe we can bid that out and get it done more quickly.

Councilman Jaehnig – Our issue is not getting the guys out there, it is going through the legal process.

Service Director Reinsmith – There is a notification process. We're not a lawn mowing company.

Mike Stout – The problem is when I call the city to get some answers, I can't get a phone call returned. I've called the Service Garage four times in the last three days and could not get anyone to call me back. Once I turn the request in to have it mowed, how long is it going to take from that day to get it mowed?

Service Director Reinsmith – Is it in violation?

Mike Stout – It is chest high.

Service Director Reinsmith – They did mow the one out there. It is there every year.

Mike Stout – Can't we speed this process up when it is an ongoing problem. There are two properties there where the owners will not mow. Five weeks is a bit long I think.

Mayor Riley – I would defer to the Law Director. We are also frustrated because by the time we get through the process, it is chest high.

Duane Weyand – You can call the Police Department and make a complaint. I take a parking enforcement officer out there and we start the process.

Mike Stout – I've been dealing with Michelle in zoning. She has been great.

Duane Weyand – She will get the letters out and put it in the paper.

Mike Stout – I'll call you tomorrow. There is an RV that has been back in there for three years and it has not moved.

Service Director Reinsmith – It is not a violation. Especially if it is in the back yard.

Councilman Jaehnig – If we have a property that is a year-in/year-out problem that we are mowing, is there a point that we can start to take care of it? If they are going to build up a debt and not take care of them, we might as well relieve them of their property and move it into someone else's hands. We are getting too many properties that are being abandoned of responsibility. Can we relieve them of their property and turn it over to someone else?

Law Director Shidaker – There is a process but it is cumbersome. The city is reluctant to take on responsibilities for the properties. It is something that we can look at.

Councilman Jaehnig – If we could pursue, we could take possession of property and then sell it to someone.

Paul Hunter – There is state law that says we can take delinquent tax property.

Councilman Jaehnig – That is for property taxes and that is through the County Treasurer.

Service Director Reinsmith- Couldn't we urge the County Treasurer to auction a property off for the back taxes? Then we would not have to touch it. Someone might buy it that may want to fix it up and flip it and do something with it.

Mike Stout – There is no way to salvage this property now.

Mayor Riley – We are looking into a program that other cities have tried and it seems to be working. There are some cities that are doing projects where if you have a house that has been abandoned and property taxes have never been paid and the liens are going up against it, you can't buy that property for less than \$50,000. People can't afford to buy the property and fix it up...particularly if it is in bad shape. We are looking at a program that would eliminate some of the tax liens on the property and forgive back taxes and possibly would give future tax abatement to someone who would buy the property and fix it up. We are in the preliminary stages of looking at this.

Mike Stout – I would like to just speed up the process. Five weeks is too long.

Service Director Reinsmith- Once we mow it, it is in compliance and we start all over. I think we turned in a list to Denny of 34 houses.

Mike Stout – People come through that way into the city and it looks awful.

Councilman Jaehnig – The rules that we are working under, are they state or city legislation? Is there a way to change that to get around the second notification?

Chief Weyand – It would be great if we could change the notice requirements. We are constantly driving to other places to serve notices because they have dodged the notices on nuisance properties.

Councilman Jaehnig – I am wondering if once they go on the violation list, they would need to take some sort of action to get off the violation list.

Service Director Reinsmith- It would be nice to hire contractors to do it, but you have to pay them cash. We have the city employees to do it because they are already on payroll. We never see the money we try to get from the tax duplicate.

Councilwoman Milburn – Who do we bill for the abandoned properties? Do we just get stuck with that?

Service Director Reinsmith- No. We put it on their tax duplicate. I have one on Locust Street. The woman lives in Georgia. The bank took it over. Then they sold the loan to someone in Texas. You can't track down a real owner.

Councilman McKay – Thank you, Mr. Stout, for bringing this to our attention. We will follow up.

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

Law Director Brian Shidaker – At the last council meeting, we went into executive session to discuss the collective bargaining agreement. There are three unions in the city. We were just discussing the one collective bargaining agreement. From that executive session, there was a request for comparatives of other police departments and salaries. That was sent to you by email last Tuesday. I did not receive any questions and I don't believe the administration received any questions from that comparative list. There are two choices here. We can take action and I would need a motion authorizing the mayor to enter into an agreement as presented to council at the last meeting. Two, if there are any questions, then we would need to go back into executive session to discuss those questions regarding the contract.

A motion was made by Jaehnig and seconded by Milburn to enter Executive Session per ORC 121.22 (G)(4).

Motion carried. All yeas.  
Council entered Executive Session at 8:45 p.m.

The council elect members were invited to stay for the executive session.

A motion was made by Mead and seconded by Jaehnig to return to Regular Session.  
Motion carried. All yeas.  
Council returned to Regular Session at 9:03 p.m.

Councilman McKay asked if there was discussion.

A motion was made by Jaehnig and seconded by Milburn to authorize the mayor to enter into an agreement with the Police Union, as presented.  
Roll call: Jaehnig, yes; Spicer, yes; Mead, yes; Milburn, yes; McKay, yes.  
Motion carried.  
Authorization granted.

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

A motion was made by Milburn seconded by Jaehnig to adjourn.  
President Pro Tem of Council declared the meeting adjourned.  
Council adjourned.

ATTEST:

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk