

Wilmington City Council met in regular session on Thursday, October 15, 2015, at 7:30 p.m. with President Cindy Peterson presiding.

Call to Order

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

Chief Weyand was also present.

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

Motion passed. All yeas.

Absent member excused.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

Moment of silence observed

President of Council

A motion was made by McKay and seconded by Miller to approve the minutes of the last regular meeting, October 1, as presented.

Motion passed. All yeas.

Minutes approved as presented.

A motion was made by McKay and seconded by Miller to approve the minutes of the last special meeting, September 24, as presented.

Motion passed. All yeas.

Minutes approved as presented.

Mayor - Mayor Riley introduced Bekah Muchmore from Main Street Wilmington.

Bekah Muchmore, Executive Director of Main Street Wilmington, gave an update on the organization. She handed out a brochure regarding Main Street Wilmington. In particular, she mentioned business development efforts, event planning, business-to-business communication through Main Street Mingle, and focus on historic preservation. She discussed with councilmembers downtown living spaces and that Main Street Wilmington is a source for businesses who may want to relocate in the downtown. Upcoming events include Downtown Trick or Treat on October 24 from 1:00 to 3:00 and the Chocolate Walk tomorrow. Mayor Riley added that the Main Street office is on the southwest corner of Mulberry and Main.

Jeff Walls, Coordinator of the Clinton County Solid Waste Management District – Presented an overview of upcoming grant opportunities available through CCSWMD.

Paul Hunter mentioned that the cardboard recycling program was doing well and asked if the CCSWD could get the city another bailer. Jeff Walls replied that a new bailer may qualify through the EPA grant.

Randy Riley gave an update on the Hope Over Heroin event on the past weekend. An estimated 2000-3000 people each night. The Murphy Theatre had the Operation Cherrybend event. This well-attended event focused on veterans' needs. Next week on October 20, there is an event for an expansion to the Sports Sciences facility at Wilmington College. The expansion, proposed by Lisa Parlette would be an indoor track and field space. Lisa's daughter, Jenna, was a Wilmington College cross country athlete who died nearing the end of a race. The facility would be built in her honor.

Auditor - Auditor David Hollingsworth had no report.

Asset, Acquisition and Use. – In the absence of Chairperson Mead, there was no report.

Water Committee - Chairperson McKay noted that a large water leak was located in the city. Mayor Riley said the leak was in the area near Wal-Mart and the Elks and had now been repaired.

Streets Committee - Chairperson McKay presented legislation on amending the traffic control map to create a no-parking zone on Walnut near Sugartree, previously reviewed at the September 17 and October 1 council meetings.

A motion was made by McKay and seconded by Miller to give the third reading only on the ordinance Amending the Traffic Control Map and the Traffic Control file to Create a No Parking Zone on South Walnut Street, as Amended.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

President called for vote.

Motion passed. All yeas.

President of Council declared Ord. No. 5261 passed as read.

Councilman McKay presented legislation amending the traffic control map to create a four-way stop at the intersection of South Walnut Street and Short Street, , previously reviewed at the September 17 and October 1 council meetings.

A motion was made by McKay and seconded by Milburn to give the third reading only on the ordinance Amending the Traffic Control Map and the Traffic Control File to Create a Four-Way Stop at the Intersection of South Walnut Street and East Short Street, as Amended.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

President called for vote.

Motion passed. All yeas.

President of Council declared Ord. No. 5262 passed as read.

Solid Waste/Recycling - Chairperson Jaehnig had no report.

Wastewater/Sewer Committee - Chairperson Milburn had no report.

Judiciary Committee - Chairperson Jaehnig presented legislation to establish a Community Reinvestment Area, previously reviewed at the October 1 council meeting. He opened the floor to questions for Taylor Stuckert, Director of Clinton County Regional Planning. Seeing no discussion, he called for the second reading.

A motion was made by Jaehnig and seconded by Milburn to give the second reading only on the ordinance Implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, Establishing and Describing the Boundaries of Community Reinvestment Area in the City of Wilmington, Designating a Housing Officer to Administer the Program, and Creating a Community Reinvestment Housing Council and a Tax Incentive Review Council.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Safety Committee - Chairperson Spicer reported that the Fire Department held an Open House over the weekend.

Finance Committee - Chairperson Miller introduced legislation making supplemental appropriations: From the UDAG Fund to Nelson Machine - \$35,000.00 to disburse a revolving loan; From Probation Services Fund to Probation Capital Equipment - \$17,110.00 for a new vehicle; from Community Corrections Funds to Project Expenses - \$20,000.00 to appropriate grant money; From General Fund to Consultant IT - \$2,000.00 to cover merging IT services in the City.

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

President called for vote.

Motion passed. All yeas.

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: Jaehnig, yes; Spicer, yes; Stuckert, 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; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes.

Motion passed.

President of Council declared Ord. No. 5263 passed as read.

Councilwoman Miller introduced legislation making miscellaneous transfers: From Taxi Vehicle Fuel to Advertising - \$200.00; From Municipal Supplies to Other Professional Services - \$400.00 for interpreter services; from Communications Office Supplies to Siren Maintenance - \$1200.00 and from Communication Education and Training to Siren Maintenance - \$500.00 to repair the nonfunctioning sirens; from Public Safety Network Expense to Consultant IT - \$3510.00 for merging IT services in the City; from Direct Deductions to Note-NBT/Honeywell - \$10.00.

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

President called for vote.

Motion passed. All yeas.

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; 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: Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Stuckert, yes.

Motion passed.

President of Council declared Ord. No. 5264 passed as read.

Councilwoman Miller introduced discussion of the 2016 budget. She opened the floor to questions.

Councilman Stuckert stated that based on his calculations, the estimated revenue for the General Fund is just over \$10 million and expenses appear to be around \$9 million, so there should be \$1 million left over.

Auditor David Hollingsworth said the actual General Fund revenue is \$7,783,509, which does not include permissive tax since that does not go through the General Fund. This means your current expenditures are going to exceed your current revenues.

Councilman Stuckert asked if this meant the city would be in the red, and Auditor David Hollingsworth explained that there was a carryover to protect from that happening.

Councilman Stuckert asked for clarification on why the money in the special funds was not included in the revenue. Auditor David Hollingsworth explained that those funds essentially break even and do not generate any extra revenue.

Mayor Riley encouraged councilmembers to call David Hollingsworth, Mary Kay Vance or Brenda Woods with specific questions.

Councilman McKay asked if a first reading was anticipated at the next meeting. Councilwoman Miller answered that if council would support a first reading, she would happily move forward. She further asked if there were any objections to bringing the first reading on the next agenda.

Councilman Stuckert said he would like to do more work. Councilwoman Miller said that he had two weeks to do that work, but the first reading would be on the agenda for the next meeting.

Mayor Riley – I know it's referred to as the mayor's budget. It is actually the administration's budget and David, with his financial background and his abilities as a CPA, the information comes from David and Mary Kay. Brenda helps tremendously. I'm not taking credit for it.

Auditor David Hollingsworth – On the revenue side in 2016, the income tax across the state of Ohio is going to become uniform and they are changing all of the due dates, both for estimated tax payments, payroll tax deposits, and the actual due dates of the returns. In 2016, the last quarter payment that we normally get in January, is now going to be due in December. We will have an influx of revenues, but it would be misleading if we changed the budget, because this revenue will be collected one month before we normally would. So, what we are going to collect in 2016 will be short in 2017, just for that one year. I just wanted to give you that alert. If you see that the revenues are more than we budgeted just keep that in mind and don't think it's necessarily from increase income tax collections.

Councilman McKay – I am very happy to see that there isn't really a lot of change in the appropriation figures from one year to the next. That tells me that everybody has worked very hard to try to bring everything to a number that hopefully we can all agree.

Auditor David Hollingsworth – I will alert you that we are eating into the reserve. As I mentioned, we have exhausted about every means that we can as far as cutting, refinancing and things of that nature.

Cemetery Committee – Chairperson Spicer had no report.

Downtown Revitalization Committee – Convener McKay had no report.

Parks and Recreation Committee – Convener Milburn announced that there was a meeting on Monday at 5:30.

Service Director - Service Director Reinsmith had no report.

Safety Director – Safety Director Russ Burton had no report.

Reports

A motion was made by Jaehrig and seconded by Miller that the Auditor Treasurer Report – September 2015, be accepted as presented.

Motion passed. All yeas.

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.

Diana Allen, 1686 Woodside Drive – Presented concerns regarding the Utility Billing Department late fee process. She stated that she received an excessively high utility bill and dropped the payment for it in the night drop box after 4 p.m. On the next bill, she received a late fee. The ordinance states that it is a two-day grace period but does not list a time.

Law Director Shidaker – In my opinion, that late fee should be waived. If the time is to be set at 4 p.m., council needs to include that in the ordinance.

Councilman Jaehnig offered that if the bill was excessively high, someone should come out and check the meter.

Diane Allen stated that she tried to get a refund on the late fee from the Utility Billing Department but they refused. She called the Attorney General and they required Utility Billing to refund the late fee. Upon the advice of the Attorney General, she paid her next bill during the grace period after 4 p.m. to see if another late fee was applied. This time, there is a sign that states that you must remit by 4, but it is still not in the ordinance. She was charged once again with the late fee.

Mayor Riley said he believed if the payment is in the office by 8 a.m. the next morning, it should be considered to fall under the grace period. Russ Burton offered that the Board of Control meets on Monday and that he would make a motion to correct the situation and give her money back.

Mayor Riley said that the excessive water use should be checked into. Councilman McKay asked that Brian Shidaker give guidance at the next Water Committee meeting regarding the ordinance and the policy.

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 McKay and seconded by Miller to adjourn.
President of Council declared the meeting adjourned.
Council adjourned.

ATTEST:

President of Council

Clerk