

## **COUNCIL**

**January 21, 2016**

Wilmington City Council met in regular session on Thursday, January 21, 2016, with President Randy Riley presiding.

### **CALL TO ORDER**

President of Council called the meeting to order at 7:30 p.m.

### **ROLL CALL**

Roll Call: Fourth Ward, vacant\*; Spicer, present; Stuckert, present; J. McKay, present; Swindler, present; Milburn, present; M. McKay, present.

[\*The vacancy was filled by Matthew Purkey during the course of the meeting]

Chief Weyand was also present.

### **PLEDGE OF ALLEGIANCE**

Council gave the Pledge of Allegiance to the flag.

### **MOMENT OF SILENCE OBSERVED**

### **PRESIDENT OF COUNCIL**

Mayor John Stanforth swore in Council Member, Fourth Ward, Matthew Purkey.

President Riley noted that a full council now exists as Matthew Purkey took his seat as Council Member, Fourth Ward.

A motion was made by J. McKay and seconded by M. McKay to approve the agenda as presented.

Motion passed. All yeas.

Agenda approved as presented.

President Riley noted that the minutes from the January 7 meeting erroneously state that Chief Weyand was present. Sergeant Fithen was present instead.

A motion was made by Stuckert and seconded by Spicer to approve the minutes of the last regular meeting, January 7, as amended.

Motion passed. All yeas.

Minutes approved as amended.

President Riley presented amended committee assignments. He noted that in addition to assuming the positions slated for the vacant seat on the previous committee assignments, Councilman Purkey would be chairing the Asset, Acquisition and Use Committee.

A motion was made by M. McKay and seconded by Milburn to approve the committee assignments as presented.

Motion passed. All yeas.

Council Committee Assignments approved.

President Riley presented the schedule for council meetings for the year 2016. Meetings will be held on first and third Thursdays of the each month at 7:30 p.m. in Council Chambers.

A motion was made by M. McKay and seconded by J. McKay to approve the Date and Time for City Council Meetings.

Motion passed. All yeas.

Date and Time for City Council Meetings approved.

### **MAYOR**

Mayor - Mayor Stanforth announced the appointment of Ginny Shoemaker as Human Resources Director for the City. She has been with the City for 27 years and they are very glad that she has agreed to step into the position.

Mayor Stanforth` introduced Bekah Muchmore, Executive Director of Main Street Wilmington.

Bekah Muchmore gave a report on Main Street's recent Annual Meeting. She summarized 2015 and gave an overview of upcoming projects in 2016. These included the Wilmington College Connector, an initiative designed to bring honors program students from the college to the downtown. This would include providing living space, internships and community service opportunities in the downtown area to honors students from the college. Also, Main Street will be working on a Traffic and Pedestrian Safety Plan. The plan will be implemented in three phases. During the first phase, better signage will be brought to the existing crosswalk in front of People's Bank on South Street. The second phase will involve Wilmington College students and a UC DAP student working to provide a case study of the traffic and pedestrian safety needs in our community. This will make it easier to apply for grants. The third phase will be the implementation of the program. Also in 2016, there will a three-day Arts Festival in June on the courthouse lawn. The event will be held June 17 through the June 19, in conjunction with the Third Friday event. Other events include a Share the Love Event for downtown businesses in February and a new Main Street Wilmington video

Councilman McKay thanked Commissioner Pat Haley for use of the Courthouse Lawn for the Arts Festival Event.

Paul Hunter asked if a crosswalk is being considered from the courthouse to Austin's. Ms. Muchmore stated that through the sidewalk study, they will be receiving input from citizens regarding where they think sidewalks will be and asked for people to contact her with suggestions.

Bekah Muchmore thanked Council for their support and said that she would be providing updates quarterly.

Councilman J. McKay stated that the Chamber of Commerce was very happy to be sharing office space with Main Street Wilmington.

Bekah Muchmore introduced Angela Mitchell, President of the Main Street Wilmington Board.

## **AUDITOR**

Auditor - Auditor David Hollingsworth encouraged council to feel free to ask questions about finance legislation and about any of the financial documents provided to them.

## **COMMITTEE REPORTS AND ACTION**

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

Cemetery Committee – Chairperson J. McKay said that now the committee is complete, he would like to get a meeting scheduled.

Downtown Revitalization Committee – Chairperson M. McKay – The Arcadia Group in the Wilmington Friends Meetinghouse is having 20% returned to them from Generations Pizza every Tuesday. Some of the businesses may have changed their hours since the first of the year, so be aware of that. Rome Jewelers and Everyday Chic are going to be moving the Samuel Walker Building.

Finance Committee - Chairperson M. McKay presented legislation making supplemental appropriations: From Sugar Grove Cemetery Fund to Property Casualty - \$550.00; From Sugar Grove Cemetery Fund to Incidentals - \$1,000.00; From General Fund to Income Tax Refunds - \$50,000.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes;

Milburn, yes; M. McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M.

McKay, yes; Purkey, yes.

Motion passed.

President of Council declared Ord. No. O-16-03 passed as read.

Councilman Mark McKay introduced legislation making supplemental appropriations for 2015 from the 1<sup>st</sup> Mortgage Waterworks Revenue Bond Fund to Interest to Bondholders - \$190,808.75. Auditor David Hollingsworth explained that this was to undo a reverse appropriation. A statement was received after the final meeting in December showing that interest payments had been made, so this bookkeeping measure is necessary.

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

Roll call: Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes;

Purkey, yes; Spicer, yes.

Director of Law read the ordinance by title only.

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

Roll call: J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes;

Spicer, yes; Stuckert, yes.

Motion passed.

President of Council declared Ord. No. O-16-04 passed as read.

Councilman McKay introduced legislation making miscellaneous transfers for the Community Corrections Program: Programs Expenses to Corrections Operating Expense - \$4,000.00; Programs Expense to Salaries - \$6,453.00; Programs Expense to Pensions - \$903.45; Programs Expense to Workers Compensation - \$199.40; Programs Expense to Benefit Insurance - \$2,409.84; Programs Expense to Medicare - \$93.57.

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

Roll call: Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes; Spicer, yes;

Stuckert, yes; J. McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Milburn, yes; M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes; J.

McKay, yes; Swindler, yes.

Motion passed.

President of Council declared Ord. No. O-16-05 passed as read.

Councilman Mark McKay – In Finance last night we talked a little bit about the fiscal situation the city is in and the fact that we are obviously eating into our carryover

substantially. We talked about revenue ideas. We talked about cutting expenses. Once again, it was a first blush for the committee to look at the situation. We plan on having more in-depth discussions with the administration. Finance will be meeting again in two weeks. Hopefully we can put a plan together that can make sense for the city because we can't continue on this course.

Judiciary Committee - Chairperson Milburn introduced legislation authorizing a revolving loan fund agreement with Ohio Development Services Agency. This is a housekeeping measure for the CDBG (Community Development Block Grant) program.

A motion was made by Milburn and seconded by Purkey to give the first reading only on A Resolution Authorizing the Revolving Loan Fund Agreement with the Ohio Development Services Agency.

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes.

Director of Law read the resolution by title only.

A motion was made by Milburn and seconded by Purkey to pass the resolution as read.

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes;

Milburn, yes; M. McKay, yes.

Motion passed.

President of Council declared Res. No. R-16-06 passed as read.

Parks and Recreation Committee – Chairperson Milburn had no report.

Safety Committee - Chairperson Spicer introduced two pieces of legislation accepting gifts for the Police Department. The first are donations to the Police Explorer Program from: Antique Power Club - \$300.00; David Lieurance - \$150.00; Shane Lieurance - \$100.00. The second was a donation to the Police Department from the United Way in the amount of \$500.00.

Chief Weyand gave an overview of the Police Explorer's Program. He explained that the donation from the United Way was to support Police Skate Night at the skate park.

A motion was made by Spicer and seconded by M. McKay to give the first reading only on a resolution Accepting Gifts in Support of the City of Wilmington Police Explorer Program.

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes.

Director of Law read the resolution by title only.

A motion was made by Spicer and seconded by Purkey to pass the resolution as read.

Roll call: Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes;

Purkey, yes; Spicer, yes.

Motion passed.

President of Council declared Res. No. R-16-07 passed as read.

A motion was made by Spicer and seconded by J. McKay to give the first reading only on a resolution Accepting a Gift from the United Way for the City of Wilmington Police Department.

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Director of Law read the resolution by title only.

A motion was made by Spicer and seconded by McKay to pass the resolution as read.

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Motion passed.

President of Council declared Res. No. R-16-08 passed as read.

Councilman Spicer said that a Safety Committee meeting would be scheduled soon.

Solid Waste/Recycling - Chairperson Spicer stated that a committee meeting is being planned.

Streets Committee - Chairperson Spicer stated that the Streets Committee met last week with Main Street Wilmington to hear their thoughts on the pedestrian crossings.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Water Committee - Chairperson Swindler introduced three pieces of legislation. Two are to advertise for bids for sludge removal and chemicals, which are regular items. The third item is allowing the advertising for bids for the Air Park and fairground water aerator and mixer installation project. This will help reduce the byproducts of chlorination. We have had issues with too much trihalomethane, and this will help reduce that. It is an Ohio Public Works Project.

A motion was made by Swindler and seconded by Stuckert to give the first reading only on the ordinance Authorizing the Advertisement and Contract for Hauling of Lime Sludge from Water Treatment Plan and Declaring an Emergency.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Milburn, yes; M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes.

Director of Law read the ordinance by title only.

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

Roll call: M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes.

Motion passed.

President of Council declared Ord. No. O-16-06 passed as read.

A motion was made by Swindler and seconded by M. McKay to give the first reading only on a resolution Authorizing the Advertising for Bids and Purchase of Chemicals for the Water Department and Declaring an Emergency.

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes.

Director of Law read the resolution by title only.

A motion was made by Swindler and seconded by M. McKay to pass the resolution as read.

Roll call: Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes.

Motion passed.

President of Council declared Res. No. R-16-10 passed as read.

A motion was made by Swindler and seconded by Stuckert to give the first reading only on a resolution Authorizing the Advertising for Bids for the Construction of the Airpark and Fairground Water Tower Aerator and Mixer Installation Project and for Contracting for Same, and Declaring an Emergency.

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: Stuckert, yes; J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes; Spicer, yes.

Director of Law read the resolution by title only.

A motion was made by Swindler and seconded by McKay to pass the resolution as read.

Roll call: J. McKay, yes; Swindler, yes; Milburn, yes; M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes.

Motion passed.

President of Council declared Res. No. R-16-10 passed as read.

Safety/Service Director – Safety/Service Director Brian Shidaker reported there are four new 2016 Grand Caravans in the Transit Department, which were received through grant programs and did not cost the city anything. Also, the City has 400 tons of salt in our Streets Department. He stated that in a visit to the Streets Department, he noticed we have beet juice that has been sitting for three or four years and is not being used. Being proactive on the streets is better than reactive for snow and ice. The beet juice lowers the temperature, so we will have the beet juice ready to use on the trucks and will be using it when appropriate. Mr. Shidaker stated that he has been working with the county. They are exploring the use of another pretreatment solution and the city is also investigating those options. We are starting to work together, and it could save us money. If the City gets ahead of the ice and snow, it will reduce costs, as opposed to waiting until the ice starts to form.

Safety/Service Director Brian Shidaker stated he recently took a tour of the Wastewater Treatment Plant. Harry McVey has been there for 41 years and has an impressive operation. He encouraged members of council to tour the facility. He further stated that, weather permitting, he and the mayor would be going underground on Monday to inspect bridges and culverts with the county engineers. A report will be provided on that. Mr. Shidaker stated that it was important to open discussions regarding the landfill again. He has asked Braden Dunham to develop a plan. A discussion needs to happen on whether the City is going to expand the landfill, close the landfill, or sell the landfill. The City cannot stand silent on this issue. It is something that the public needs to have input on. There is a process regardless of what is decided, which will take a long time, so the City needs to start now.

Safety Service Director Brian Shidaker stated that regarding water, we have an agreement in which we are required to purchase seven million gallons a day of water from Caesars Creek. That is a top priority for him because we are not using that much. The City is looking and negotiating actively to try to find consumers to purchase the water. The city uses about two million gallons a day on average. Mr. Shidaker stated that Jerry Rowlands has been working very hard on this issue.

Safety Service Director Brian Shidaker spoke regarding the drug Narcan. This drug is used to bring someone back to life when they experience a heroin overdose. The cost is about \$37 every time we use a dose. The City is looking at reimbursement through a grant. There have been times we have used 10-12 doses on one individual, and there is a \$6 rebate for every dose of Narcan through the state. To wrap things up from the Safety perspective, Mr. Shidaker stated there recently was a story regarding a rape case with a child victim. Although he typically would not publicly commend a law enforcement official in a case for doing his job, after eight and a half years prosecuting felony cases, he can tell you, child rape cases are by far the hardest cases to put together. Detective Wilson with the Police Department worked this case and went way beyond the call of

duty to prove this case and to speak for a child victim in court. Mr. Shidaker publicly commended Detective Wilson for his work on this case. This perpetrator is looking at a minimum of 25 years and he will be 73 years before he is eligible for parole. It takes more than just doing your job to put a case like that together. Mr. Shidaker stated that streets and getting the snow removed is important, the landfill is important, but getting a child rapist off the street for a significant amount of time...he doesn't know if it gets more important than that. Detective Wilson did a great job and we are proud of the work he did.

Councilman Spicer asked if users could be billed for their use of Narcan. Chief Weyand stated that there is nothing to charge them with once revived. Safety Director Brian Shidaker stated that there is nothing to bill unless the person is transported by ambulance. They often refuse medical treatment once revived.

Steve Sawzin stated that the new taxi equipment was a result of the hard work of the previous Transportation Director that no longer has a job and that council should send him a letter thanking him for his hard work.

Service/Safety Director Brian Shidaker agreed that it was the due to the work of the previous Director of Transit and thanked Mr. Sawzin for his comments.

Mike Mandelstein asked if something could be done at the state level to require financial responsibility for Narcan at the time you are issued a state ID. Brian Shidaker replied it would take work by the part of the legislature at the state level. Paul Fear said he saw a news article where pharmacies can dispense Narcan for free. President Riley noted that this was only specific pharmacies. Service/Safety Director Brian Shidaker said he would look into it.

Randy Riley pointed out that beet juice was tried several years ago. The downside is if you have a rain event that turns to snow, it does not work. Brian Shidaker agreed that the application is limited, but he wanted the Streets Department to try it.

## **REPORTS TO COUNCIL**

A motion was made by M. McKay and seconded by Milburn that the Auditor-Treasurer Report – December 2015, Statement of Interest Earned – Second Six Months 2015 and Twelve Months 2016, and Treasurer Annual Report 2015 and Investment Summary 2015; and Municipal Court Report - be accepted as presented.

Motion passed. All yeas.

Reports accepted as presented.

## **OPEN TO PUBLIC**

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

Councilman Spicer – In terms of the proposal regarding the Convention and Visitors Bureau and the Parks, Debbie Stamper is doing well and should return back to work in two weeks. After she returns, we can get a meeting together with the appropriate people.

Councilman McKay said that the proposal is in Finance Committee right now. As soon as Debbie Stamper is available, a meeting will be scheduled.

Councilman McKay – The permanent meeting time for Finance is 5:30 p.m., the Wednesday prior to council.

Councilwoman Milburn – The permanent meeting time for Judiciary is following Finance at 6:00 p.m. the Wednesday prior to council.

President Riley recognized that Commissioner Pat Haley was in the audience. Pat Haley said that there are mutual issues with the City and County, so it is good to have open channels of communication.

Mike Mandelstein asked what happens to the starting time of Judiciary Committee meeting if Finance runs late. Councilwoman Milburn and Councilman McKay explained that the Judiciary Committee meeting would then start late.

Terry Habermehl – County Auditor – presented information on his candidacy for the Clinton County Commissioner open seat.

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

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

**ADJOURNMENT**

A motion was made by M. McKay to adjourn.  
President Riley declared meeting adjourned.  
Council adjourned at 8:30 p.m.

ATTEST:

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President of Council

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Clerk