

Wilmington City Council met in regular session on Thursday, June 2nd, 2016, at 7:30 p.m. 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: Purkey, present; Spicer, present; Stuckert, present; J. McKay, present; Swindler, present; Milburn, present; M. McKay, present.

Chief Weyand was also present.

PLEDGE OF ALLEGIANCE

Council gave the Pledge of Allegiance to the flag.

MOMENT OF SILENCE**PRESIDENT OF COUNCIL**President of Council-

President Riley stated that there were some changes to the agenda. The Honor Flight presentation would be given by Jack Powell and was moved to the item 5a under President of Council. The presentation by Mark Rembert would be moved to item 5b due to the length of the presentations. The second change in the agenda, item 11c- "Authorizing an earnings tax" was added under Finance Committee and the order of the items was changed to 11c, 11a, and 11b at the request of Chairperson M. McKay.

There was also change in the committee assignments. The Safety Committee is now the Safety/Transportation Committee, allowing the Director of the Transportation to come forward with any future issues or needs.

A motion was made by M. McKay and seconded by Purkey to approve the amended committee assignments.

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

Motion passed. All yeas.

Amended agenda approved as presented.

President Riley introduced Jack Powell, substituting for Jen Woodland, who spoke about Honor Flight. Jack Powell explained that Honor Flight is an opportunity to honor veterans by taking them to visit their war memorials in Washington D.C. The program hopes to financially support 75 Clinton County veterans to travel to Washington D.C. in October. Current sponsors are AM and Noon Rotary, and individual sponsors are welcome to donate.

President Riley introduced Mark Rembert who presented an Economic Update to council. Mr. Rembert spoke and displayed graphed information about the post-DHL economy, the local workforce, and commuting and labor market dynamics.

President Riley noted that there was not a section to approve the last meeting minutes listed on the agenda. He did have one correction at the top of page 6 that Joe Spicer was referring to "Randi", not "Randy" in his statement.

A motion was made by J. McKay and seconded by Milburn to approve the amended May 19th minutes.

Motion passed. All yeas.

Amended minutes approved as presented.

President Riley also wanted to congratulate Leadership Clinton participants Jonathan McKay, Randi Milburn, and Braden Dunham who had recently graduated the program.

MAYOR

Mayor –

Mayor Stanforth reported that the Volksmarch was a great event with a lot of positive feedback. Mayor Stanforth also stated that he was very proud of how great the Cemetery looked for Memorial Day and thanked Maintenance and Repair for all their hard work. Mayor Stanforth reminded everyone that Relay for Life's Paint the Town Purple window display contest would begin judging next week and the winner will be announced at Relay for Life in on June 25th. The Mayor also noted he had attended a ribbon cutting for Solid Craft Boats who had recently moved their pontoon boat business to Wilmington. He reminded everyone the Banana Split Festival would be taking place next weekend June 10-11.

AUDITOR

Auditor – Auditor Hollingsworth gave an update on the bond notes passed on May 5th and the bids that had been awarded.

COMMITTEE REPORTS AND ACTION

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

Cemetery Committee – Chairperson J. McKay had no official report but also wanted to thank everyone who had helped prepare the Cemetery for Memorial Day. Mayor Stanforth also added that he wanted to thank Laurel Oaks and their volunteers for a great job.

Downtown Revitalization Committee – Convener M. McKay had a reminder about the upcoming 3rd Friday event on June 17th in the Mural Parking Lot.

Finance Committee - Chairperson M. McKay had three items, beginning with item 11c. due to the amended agenda.

Swindler had a question referring to the earnings tax. Swindler stated that the wording on page 1 states that "tax is levied at a uniform rate on all persons residing in or earning; or receiving income", and on page 7 it goes on to define "residence". Swindler wanted to be clear that this is an earnings tax only. Law Director Rudduck stated that this was a template taken from the ORC and this is an earning tax only and for the city's purposes it means the same thing. Swindler stated she still had concerns, and Milburn agreed on that point. M. McKay assured council that it is an earnings tax, but there will be time to revise and go through this again before the final reading. Swindler stated that she feels like the Resolution and Ordinance for the tax should match to be clear on what type of tax will be collected.

Chairperson M. McKay stated that there needed to be some revisions done before the next reading and it would be beneficial to have other eyes to look over the Ordinance. President Riley asked Law Director Rudduck to have a tax attorney look at the ordinance before the final reading. President Riley noted for clarification that this is an additional 0.5% tax and he encouraged Treasurer Fear and Auditor Hollingsworth both to check through the Ordinance to make modifications.

Law Director Rudduck stated that the reason they are not modifying the previous legislation to reflect a 1.5% earnings tax is because if that ballot measure were to fail, then the city would not have a tax ordinance at all, and if it were to succeed in 5 years they would have to write new tax legislation.

Councilmember Stuckert commented that in the previous meeting he stated that he would meet with Director Shidaker and Councilmember Purkey to discuss the budget and do a comparison from years 2015 and 2016. After looking both budgets over Stuckert stated it is very apparent the city is hurting financially. Stuckert said that the wage system is the problem hurting the city finances. Stuckert suggested going forward the current wages system be reformed, and stated in the previous Judicial Committee meeting the members agreed to look at the current legislation. Stuckert stated council is moving in the right direction with the wage system. Now that he knows this is something on the radar, he is more comfortable with the proposed tax legislation. He also stated this will help the voters know action is being taken to fix the finances, especially since this is a temporary tax. Stuckert

stated that in addition, when it expires, the city will not have to ask for more money from the taxpayers. Stuckert said he hopes what the council is going for is genuine reform of the current wage system and that would be beneficial to the voters.

M. McKay confirmed the wage system is something being discussed in the Judiciary Committee.

Milburn said wage reform has been on the radar since the beginning of the year. She stated it will be a long process with no quick fix but it is something they are working on.

M. McKay also complimented Stuckert on digging into and taking the time to talk to Director Shidaker.

Stuckert stated that he hopes everyone on council can also look into the budget and see what he saw in regards to the wage system.

A motion was made by Chairperson M. McKay and seconded by Purkey to give the first reading only on Ordinance O-16-41- An Ordinance placing the City of Wilmington proposed .5% earnings tax issue on the November 2016 ballot.

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 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 Purkey to give the second reading on the ordinance by title only. .

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

Motion Passed.

President Riley stated that the third reading would be on the Agenda for the next meeting.

A motion was made by Chairperson M. McKay and seconded by Swindler to give the second reading only on Resolution R-16-27 - A Resolution determining to proceed with a supplemental earnings tax and certifying same to the Board of Elections.

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

M. McKay asked that the third reading be put on the Agenda for the next meeting.

A motion was made by Chairperson M. McKay and seconded by Purkey to give the first reading only on Resolution R-16-28- Authorizing payment of expenses incurred in prior fiscal year.

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 Swindler 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 Swindler 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 Resolution. No. R-16-28 passed as read.

Judiciary Committee – Chairperson Milburn had no report.

Parks and Recreation Committee – Chairperson Milburn had no official report but stated that the Little Free Library located in Denver Park is in need of books.

Safety Committee – Chairperson Spicer had no report.

Solid Waste/Recycling – Chairperson Spicer had one carryover item from last meeting.

A motion was made by Spicer and seconded by J. McKay to suspend the rules and give second and third reading on Ordinance O-16-30 Amending Chapter 925, Refuse Collection, of the Codified Ordinances.

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

Director of Law read ordinance by title only.

A motion was made by Spicer and seconded by J. McKay 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 Ordinance No. O-16-30 passed as read.

Streets Committee – Chairperson Spicer stated that they had two carryover items from the last meeting. Spicer asked if there was any other feedback from those that would be affected by the changes.

Director Shidaker stated that as of the last meeting he had made contact with 2 of the property owners on Spring Street, but still has not made face-to-face contact with the owner on South Street. He stated he did leave a letter at the residence.

A motion was made by Chairperson Spicer and seconded by J. McKay to suspend the rules give the second and third reading only on Ordinance O-16-35 Amending the Traffic Control Map and the Traffic Control File to create a No Parking Zone on South Spring Street.

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

Director of Law read ordinance by title only.

A motion was made by Spicer and seconded by J. McKay to pass the ordinance 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 Ordinance No. O-16-35 passed as read.

Treasurer Fear inquired if the residences on N. South Street had been contacted. Spicer clarified that there was one residence contacted because the no parking zone directly affect them.

A motion was made by Chairperson Spicer and seconded by M. McKay to suspend the rules give the second and third reading only on Ordinance O-16-36 Amending the Traffic Control Map and the Traffic Control File to create a No Parking Zone on North South Street.

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

Director of Law read ordinance by title only.

A motion was made by Spicer and seconded by M. McKay to pass the ordinance 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 Ordinance No. O-16-36 passed as read.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Water Committee - Chairperson Swindler had no report.

Safety/Service Director – Safety/Service had no report.

REPORTS TO COUNCIL

A motion was made by Milburn and seconded by M. McKay that the Income Tax Report be accepted as presented.

Motion passed.

Reports accepted as presented.

OPEN TO PUBLIC

ADJOURNMENT

A motion was made by M. McKay.

President Riley declared meeting adjourned.

Council adjourned at 8:53 p.m.

ATTEST:

President of Council

Clerk