

Wilmington City Council met in regular session on Thursday, September 1st, 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-

Milburn had one small correction for the agenda, the Judiciary item 12a., changing the word “Section”, in the title of the Ordinance, to “Chapter”.

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

Motion passed.

Amended agenda approved as presented.

Swindler stated that there is one small correction in the minutes, changing the word “perused” to “pursue”.

A motion was made by Purkey and seconded by Swindler to approve the amended minutes as received.

Motion passed.

Minutes approved as received.

**MAYOR**

Mayor – Mayor Stanforth was absent, President Riley made a few announcements on his behalf, beginning with the 9/11 ceremony, commemorating the 15<sup>th</sup> anniversary of the attacks. Riley stated the city will hold its ceremony on Friday, September 9<sup>th</sup> at 7:30am in the Municipal Parking lot. Riley encouraged everyone to attend.

Riley also noted that there will be a second 9/11 ceremony on Sunday, September 11<sup>th</sup> at the American Legion. It will take place at 9:00am and breakfast will be provided.

**AUDITOR**

Auditor – Auditor Hollingsworth had no report

**COMMITTEE REPORTS AND ACTION**

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

Cemetery Committee – Chairperson J. McKay had no official report, but stated some restoration will be taking place for some of the stones in the front area of the cemetery.

Downtown Revitalization Committee – Convener M. McKay reminded council about Bekah Muchmore’s resignation from Main Street Wilmington, and they have been interviewing candidates for the interim director position, with some success.

M. McKay stated that on September 16<sup>th</sup> from 1-3pm there is an “Open Doors” program taking place at the Murphy Theatre in conjunction with Ohio History Connection. The evening of September 16<sup>th</sup> the “End of Summer Bash” will be taking place at the Mural Parking lot, and Dancing with the Clinton County Stars will be taking place the following day, Saturday September 17<sup>th</sup> at 7:30pm at the Murphy Theatre.

Paul Hunter inquired if the \$25,000 that the city sends to Main Street was the bulk of the salary for the Director position, and M. McKay stated that the actual salary is less. Hunter asked if it was considered a part time position, to which M. McKay stated that the next few months it would be and then the position and funding would be reevaluated.

M. McKay also added that the Corn Festival would be the 9<sup>th</sup>-11<sup>th</sup> and the parade would be going through downtown on Saturday the 10<sup>th</sup> at around 10am.

Finance Committee - Chairperson M. McKay stated there is one item on the agenda, three readings on Ordinance No. O-16-61- Making miscellaneous transfers. This item pertains to the Police Department, who are moving \$2,000 from “Vehicle Fuel” to “Investigative Fees”. M. McKay clarified that because the Police department has arrested a record number of people this year who are driving under the influence of drugs and alcohol; they are out of funds for urine and blood testing.

Swindler inquired if the \$2,000 that is being moved is the amount required for the remainder of the year, Chief Weyand stated that is correct. Brian Shidaker stated that with traffic cases, they do not get reimbursed for the drug and alcohol testing. Shidaker stated they currently are talking with Representative Rosenberger and trying to change that law to include traffic cases. Chief Weyand reiterated currently they are only reimbursed for the lab fees when they drug test in a criminal case.

Swindler asked if the police department do their testing in-house. Chief Weyand stated they do not and the department uses the Highway Patrol lab because the lab at the State of Ohio does not test for OVI, and they have to outsource.

A motion was made by M. McKay and seconded by J. McKay to give the first reading only on Ordinance No. O-16-61- Making miscellaneous transfers.

President called for a vote.

All yeas.

The Law Director read the Ordinance by title only.

A motion was made by M. McKay and seconded by J. McKay to suspend the rules and give a second and third reading only on the Ordinance.

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 passes.

President Riley declared O-16-61 passed as read.

Judiciary Committee – Chairperson R. Milburn stated the only item on their agenda was three readings on Ordinance O-16-59 Enacting New Chapter 714 Solicitation and Distribution and repealing Chapter 713 Transient Vendors of the Codified Ordinance of the City of Wilmington. Milburn stated that this ordinance would be defining and

limiting solicitation, including aggressive solicitation, solicitation in the Right-of-Way, and protecting ATM privacy.

Chief Weyand added this ordinance is geared towards preventing panhandling or selling in the Right-of-Way. There is a separate ordinance that defines door to door solicitation, and a permit is still needed for that.

Brian Shidaker stated this change would pertain to any situation where you are stopped pumping gas and someone came up to you and asked if you wanted your car washed, which is still allowed. With the changes to this ordinance an individual would not be allowed to approach your car while you are sitting at a traffic light or stoplight. Shidaker stated the only thing that would prevent an individual from soliciting you while not in the Right-of-Way, like a parking lot, would be if the property owner stopped the solicitor or told them they were not allowed on the property. Shidaker also stated that they have also included an ATM policy that states that the user must be given 3 feet of space for their privacy while the ATM is in use.

A motion was made by Milburn and seconded by Purkey to give the first reading only on Ordinance No. O-16-59 - Enacting New Chapter 714 Solicitation and Distribution and repealing Chapter 713 Transient Vendors of the Codified Ordinance of the City of Wilmington.

President called for a vote.

All yeas.

The Law Director read the Ordinance by title only.

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

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 Milburn 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 passes.

President Riley declared O-16-59 passed as read.

Parks and Recreation Committee - Chairperson Milburn had no report.

Safety/ Transportation Committee – Chairperson Spicer they had no information under safety, but there will be a Public Hearing on the Transportation Grant at the September 15<sup>th</sup> meeting. Spicer stated there will be legislation for the grant that will need to be passed in 3 readings during that meeting.

Solid Waste/Recycling –Chairperson Spicer stated he had one item, a change in the Refuse Collection ordinance dealing with rates for additional toters, when required, for the automated trash program, as well as changes in rates for yard waste being taken by residents to the landfill.

A motion was made by Spicer and seconded by Purkey to give the first reading only on Ordinance No. O-16-60 – Amending Chapter 925, Refuse Collection of the Codified Ordinances.

President called for a vote.

All yeas.

The Law Director read the Ordinance by title only.

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

Streets Committee – Chairperson Spicer had no report.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Water Committee - Chairperson Swindler had no report.

Safety/Service Director – Director Shidaker stated they will be doing some headstone restoration at Sugar Grove Cemetery and there are 42 headstones that need attention. Shidaker gave a presentation to the County Commissioners and they have approved \$12,600 to get the headstones cleaned with approved techniques and they will be leveled and placed on concrete bases. Shidaker remarked the restorations should be finished by the end of the year. By law the county is obligated to pay for the veteran's memorial, but Director Shidaker stated he was happy that the City and County were able to work together.

M. McKay inquired about a light that had been broken, stating he saw a bucket truck in the cemetery previously working. Shidaker stated it is an electrical issue and the light will be repaired and replaced with an LED bulb. Shidaker stated that in the near future he would like to start a Restoration/Preservation Project for headstones where citizens can give money to the cemetery fund. Shidaker stated he is currently looking into the legalities of starting the project. Shidaker also thanked J. McKay for all of his hard work. J. McKay added that when they begin restoring the stones, he has information about what was written on the original stones in case it was needed in the process.

President Riley stated previously when he was on the Board of Commissioners, they received a bill from the trustees Chester Township for some work done on their cemetery, and were confused by it. After checking into it, they found that there is a law that mandates the Board of County Commissioners be financially responsible for maintenance and repair to the veteran's portion of any cemetery.

Paul Hunter inquired if the graves being restored were for those who died in the war, or if they were for veterans. Shidaker stated they are the graves of Civil War Veterans. Shidaker added that they were lifting up a 100 year old headstone the other day, and underneath it was a 2<sup>nd</sup> stone buried in the dirt. It was found to be a child's marker that went with the headstone on top they were restoring.

J. McKay asked if they could have a Cemetery Committee meeting soon so they could be briefed on upcoming changes and things that were going on in the cemetery.

## **REPORTS TO COUNCIL**

A motion was made by Swindler and seconded by Milburn to accept the Income Tax Report as presented.

Motion passed.

Report accepted as presented.

## **OPEN TO PUBLIC**

President Riley noted that it was a big day for Wilmington, as Donald Trump, Steve Stivers, and Cliff Rosenberger were all in town today. Riley also congratulated Chief Weyand and the Police Department for their recent work capturing a bank robber.

Paul Hunter 200 Randolph Street- Mr. Hunter asked council if they remembered signing the TIF agreement with the airpark pertaining to the Jump Hanger and the 259 jobs the City revenue hinged on. Hunter stated that currently the City is the only party that has an interest in it the jobs. Hunter stated that it costs the city \$36,000 a year to make up to the schools in taxes. Hunter stated that they need to fill up those jobs, but no one else has any interest in whether they are filled or not.

President Riley addressed Mr. Hunter stating that the airpark does care and they are trying to fill the jobs, but they're having difficulty finding qualified people to work on the airplanes. Riley stated that AMES is currently working with Southern State and also trying to find qualified people who have been in the Air Force to fill the positions.

Mr. Hunter stated he’s speaking of the loaner who loaned the money to the Port to buy the hanger. He stated it needs to be paid back. In that agreement 259 jobs were mentioned, but he said the State doesn’t care. Hunter stated the only way the City is going to get the money to pay the schools is from the Jump Hanger’s new hires revenues. Hunter stated right now they have 59 jobs filled and 200 jobs to go, and the city needs to start thinking about that.

**ADJOURNMENT**

A motion was made by Milburn.  
President Riley declared meeting adjourned.  
Council adjourned at 8:04 p.m.

ATTEST:

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President of Council

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Clerk