

COUNCIL

January 19, 2017

Wilmington City Council met in regular session on Thursday, January 19th, 2017, 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; Liermann, 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-

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

Motion passed.

Agenda approved as received.

A motion was made by Purkey and seconded by M. McKay to approve the January 12th, Special minutes as received.

Motion passed.

Minutes approved as received.

A motion was made by Swindler and seconded by Liermann to approve the January 5th, minutes as received.

Motion passed.

Minutes approved as received.

President of Council speaking behalf of the Mayor commended Wilmington News Journal reporter Gary Hufferberger on 20 years at the newspaper. President Riley also recognized Mark Huber for his 30 years with the News Journal as their sports editor.

Riley noted Lee Hendee was celebrating 50 years in radio broadcasting.

MAYOR

Mayor- Mayor Stanforth was absent.

AUDITOR

Auditor – Auditor Hollingsworth was absent.

COMMITTEE REPORTS AND ACTION

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

Cemetery Committee – Chairperson J. McKay had no report, but stated the Hale Fund allotment was just under \$15,000, which will be used for general upkeep.

Downtown Revitalization Committee – Convener M. McKay stated Phil Dirt and the Dozers will be at the Murphy Theatre on January 21st, and seats are still available. M. McKay stated there would be a Main Street Wilmington “Meet and Greet” on February 3rd at 8:30am at Jen’s Deli. All merchants are welcome to attend.

Finance Committee – Chairperson M. McKay introduced the first of three items, beginning with O-17-03, Making supplemental appropriations, and stating they were \$15.11 short on what needed paid to the county for their administration of funds in 2016.

A motion was made by M. McKay and seconded by Liermann to give the first reading only on Ordinance No. O-17-03, Making supplemental appropriations

All yeas.

The Law Director read the Ordinance by title only.

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

Roll call.

Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay, yes.

A motion was made by M. McKay and seconded by Liermann to pass the Ordinance as read.

Roll call.

Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay, yes; Purkey, yes.

President of Council declared O-17-03 passed as read

M. McKay stated the second item is O-17-05 moving \$1,557.38 to the Bureau of Employment from the Waste Fund. Clerk Miller clarified this is not a recent unemployment claim, and doesn't have anything to do with layoffs or route automation. A seasonal employee from a few years past keeps claiming unemployment benefits and the city has been fighting the claim but continues to lose.

A motion was made by M. McKay and seconded by Liermann to give the first reading only on Ordinance No. O-17-05, Making supplemental appropriations

All yeas.

The Law Director read the Ordinance by title only.

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

Roll call.

Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay, yes; Purkey, yes; Spicer, yes.

A motion was made by M. McKay and seconded by Liermann to pass the Ordinance as read.

Roll call.

J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes.

President of Council declared O-17-05 passed as read

M. McKay asked Clerk Miller to explain the three Retained Hotel Lodging Tax requests they had received. Miller stated the Visitor's Bureau and Main Street Wilmington had both submitted requests. The first request from the CVB to make them whole in their budget and the second two are from Main Street Wilmington for two separate projects. M. McKay stated the CVB request is for \$27,685, which is an additional amount to the \$78,300 obligation. The CVB needs \$106,000 for their 2017 budget, and the additional \$27,685 would balance them. Main Street Wilmington submitted two projects, the first is for advertising and promotion for two upcoming events, and the second is for historic markers.

Darcie Reynolds, Co-Director of Main Street Wilmington reviewed the Historic Preservation Project for Historic Markers and Kiosks. Co-Director Julie Bolton reviewed the comprehensive marketing plan to include some more family friendly events. Reynolds stated the newer events that are planned don't have a brand or an identity yet will need more advertising in order to gain traction.

M. McKay stated the process will be going forward will be to place these requests into a miscellaneous or supplemental appropriation that would be voted on by Council.

Spicer asked for reassurance that the money will be spent on tourism. Miller explained Council would ensure it with the vote. The money will be the power.

Judiciary Committee – Chairperson Purkey had no report but there will be an update at the next meeting when they discuss zoning on February 15.

Parks and Recreation Committee – Chairperson Liermann had no report.

Safety/ Transportation Committee – Chairperson Spicer had no report.

Solid Waste/Recycling – Chairperson Spicer had no report but they discussed several topics at the committee meeting, and he anticipates having some legislation for the next meeting.

Streets Committee – Chairperson Spicer had no report.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Water Committee - Chairperson Swindler gave a brief overview of the site visit with the engineers for fluoridation. Swindler stated the engineers will come up with three proposals that will be specialized for the city, and those will arrive some time in February. Swindler stated they won't have anything concrete for about three more weeks, and asked Council what their thoughts were on the reading of the legislation. President Riley said a postponement would be the best option, but not one that would stifle the discussion. Swindler agreed.

General Discussion

Spicer expressed concerns about how those who would have an adverse reaction to fluoride would cope. Spicer inquired if there is a plan in place to help those who can't tolerate the fluoride in the water.

Paul Hunter asked if Spicer knew any of these people who would not be able to tolerate the fluoride in the water. Spicer replied that he does know several personally.

Kelsey Swindler stated she respects the concern, but we've arrived at a point where "agree to disagree" comes in. Swindler said she would never go forward with any measure believing that it poisons anyone. The matter comes down to disagreeing on scientific sources, and she respects if you've done your research and that is how you're lead to believe, but she stated either side doesn't have an interest in miseducation.

Spicer asked Swindler how do we explain to those people who can't tolerate the fluoride that "we don't care about you?" Swindler stated that is a mischaracterization, due to the fact numerous physicians and experts have been involved in the entire process.

Stuckert stated there is data on both sides of the issue, but to move forward doesn't make sense.

President Riley turned the discussion over to Chairperson Swindler to facilitate.

Laura Struve of 685 Timber Lane stated her children's health is being adversely affected, according to their dentist and doctor, by not having fluoride. Struve stated the people have spoken, and they want fluoride. Struve inquired why Council would put something on the ballot if they didn't plan on following through. Struve stated she spends \$100-\$120 per year on fluoride drops for her children's health, and stated anyone on Council who does not vote in favor of fluoride is taxing her. Struve said if Council isn't going to follow the will of the people, they owe everyone who voted in favor of fluoridation an explanation.

Spicer stated he agreed to put the issue on the ballot because it was a non-binding resolution, and Council was assured they weren't obligated to implement it, no matter what the outcome. Spicer stated he knows the majority of people voted in favor, but if his children needed fluoride, he would expect to pay for it. Spicer stated it's not his place to prescribe medicine for a whole population, stating it's not fair to those who can't tolerate the fluoride who would have to purchase a filter and keep it maintained. Spicer stated he is representing the whole segment of the population, but in his personal opinion he doesn't care about implementing fluoride one way or another.

Steve Sawzin of 43 Fulton Street recommended the Water department offer filters for those who have a prescription from a doctor showing there is a medical need. Spicer stated he would agree with that.

David Hockaday stated sink filters and charcoal filters do not work for fluoride. Reverse osmosis filters are the only ones that will work and they are expensive.

Tom Brausch wants to sit down with Laura Struve and talk to her about pros and cons of fluoride. Brausch also stated when the time comes he wants to speak on behalf of the 168 babies who can't drink the water at the cost of \$400 per person.

President Riley addressed Mr. Brausch, stating that infants have been drinking the water for a long time, and there are infants drinking fluoridated water all over the state without adverse effects. Riley stated he met with Brausch over coffee and in their conversation Mr. Brausch brought up dental fluorosis, and neither Riley nor Brausch know anyone who suffers from it. Brausch stated there is fluorosis out there; we just haven't seen many cases because we have low levels of fluoride. Brausch said in the future if fluoride is in the water, we will see more cases. President Riley stated Sabina has a much higher level of natural fluoride in their water, and there isn't an issue in Sabina with fluorosis.

Lonnie Stuckert asked to clarify, and stated the fluoride in Sabina is a different type than what will be used in our water because it's naturally occurring. Stuckert stated natural fluoride breaks down in the body, and the issues that he is concerned about with added fluoride are further down the line due, to the fact it that accumulates in the body.

President Riley stated 140 national health agencies support fluoride, including the Surgeon General and the dentists and doctors in our area are saying it's a good thing.

Lonnie Stuckert wanted to address David Hockaday's comments about the filters, stating fluoride is also absorbed through the skin, so there would be a need for filters on the showerheads as well.

General discussion about the molecules of fluoride.

Mike Mandelstein inquired about the costs of adding fluoride to the water supply and about the issues of government adding fluoride in general.

Chairperson Swindler stated her concerns with the current ongoing discussion on fluoride is the re-litigation of points that have already been discussed at length. Swindler stated experts have been brought in to discuss each of the issues of public health at open public meetings. Swindler said all of this in on record and she feels that by continuing to re-litigate the discussions that Council is now wasting people's time. Swindler stated she wants it to be abundantly clear, even though it has been discussed several times, that Water is an Enterprise fund, and this is not a project that would use money from the General fund or any incoming money from the tax increase.

Mike Mandelstein asked why the water customers didn't receive a survey about fluoridation with their bills. President Riley stated this was an issue that was on the ballot and it passed. Swindler added that Council has been discussing this issue for over a year, and have dealt with each concern. Swindler said at this point she doesn't want to keep having ineffectual conversations.

David Hockaday clarified that the Safe Drinking Water Act states that the local government body is the only entity that can add fluoride.

Council briefly discussed if the reading should be postponed or tabled. Law Director Rudduck stated Council can make a motion to table the Ordinance until the report is available from the engineers, instead of postponing it each meeting.

A motion was made by Swindler and seconded by J. McKay to table Ordinance No. O-16-74 until such time the engineering report is made available.

Roll call.

Swindler, yes; Liermann, yes; M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes.

Motion passes.

Swindler introduced legislation for annual Lime Sludge removal.

A motion was made by Swindler and seconded by J. McKay to give the first reading only on Ordinance No. O-17-04, Authorizing advertisement and contract for hauling of Lime Sludge from Water Treatment Plant and declaring an emergency.

All yeas.

The Law Director read the Ordinance by title only.

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

Roll call.

Liermann, yes; M. McKay, yes; Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes, Swindler, yes.

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; Liermann, yes.

President of Council declared O-17-04 passed as read

Swindler introduced legislation for the purchase of chemicals for the Water Department.

A motion was made by Swindler and seconded by M. McKay to give the first reading only on Resolution No. R-17-06, Authorizing the advertising for bids and purchase of chemicals for the Water Department.

All yeas.

The Law Director read the Resolution by title only.

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

Roll call.

Purkey, yes; Spicer, yes; Stuckert, yes; J. McKay, yes; Swindler, yes; Liermann, yes; M. McKay, yes.

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; Liermann, yes; M. McKay, yes; Purkey, yes.

President of Council declared R-17-06 passed as read

Safety/Service Director – Director Shidaker had no report

REPORTS TO COUNCIL

A motion was made by J. McKay and seconded by M. McKay to accept the Auditor Treasurer Report as presented.

Motion passed.

Report accepted as presented.

OPEN TO PUBLIC

Paul Hunter of 200 Randolph Street, summarized opinions on fluoride votes and rumors, comparing them to past rumors that circulated during the discussion of the G1.

Mike Mendelstein of 1000 W. Locust Street, replied to Paul Hunter's comments.

Steven Sawzin of 43 Fulton Street, thanked Councilperson Swindler for the thorough and intellectual conversation on fluoride. Sawzin stated he is pro-fluoride, and reemphasized his views on the city providing a filter with a doctor's note.

Tom Brauch of 220 N. Wood Street, wanted data on how many teeth have fluorosis.

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