

MINUTES

Wilmington City Council

February 1st, 2024

Wilmington City Council met in regular session on Thursday, February 1st, 2024, at 7:00 p.m. at 69 N. South St. Wilmington, Ohio, with President Matt Purkey presiding.

CALL TO ORDER

President of Council called the meeting to order at 7:05 p.m.

ROLL CALL

Roll Call: J Schlabach, present; M Snarr, absent; D Wells, present; B Osborn, present; J Knowles, present; D Nanstad, present; K Tolliver, present.

D Wells moved to excuse M Snarr, second by J Schlabach. The absent member was excused.

Chief Fithen was present as Sergeant at Arms.

J Dickman was present as Law Director.

Council participated in the Pledge of Allegiance and moment of silence.

PRESIDENT OF COUNCIL

President Purkey presented the agenda.

D Nanstad moved to approve the agenda as amended. K Tolliver seconded the motion.

Discussion: *There were two items to amend, the addition of an executive session regarding Section 121.22(G)(1) and the addition of legislation to follow.*

Voice vote: Motion passed unanimously.

Agenda accepted as amended.

President Purkey presented the minutes from the January 18th regular meeting.

D Wells moved to approve the amended minutes of the January 18th regular council meeting, as amended, J Knowles seconded the motion.

Discussion: *D Wells stated in the opening roll call he had been marked "absent". B Osborn stated under the Public Works Section, M Snarr had suspended the rules and regulation and called for passage, not B Osborn.*

Voice vote: Motion passed unanimously.

January 18th, 2024, regular City Council minutes approved as amended.

President Purkey introduced Resolution R-24-09, Appointing Sarah Hawley as the City's representative to the Clinton County Convention and Visitor's Bureau and declaring an emergency.

B Osborn moved to have the first reading on Resolution R-24-09 by title only. J Knowles seconded the motion.

Discussion: None.

Voice vote: Motion passed unanimously.

The Law Director read Resolution R-24-09 by title only.

B Osborn moved to suspend the rules and regulations and have the second and third readings on Resolution R-24-09 title only. J Schlabach seconded the motion.

Roll call vote: Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye. Motion passed.

The Law Director read Resolution R-24-09 by title only.

B Osborn moved for passage of Resolution R-24-09. J Schlabach seconded the motion.

Roll call vote: Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye. Motion passed.

Resolution R-24-09 passed as presented.

MAYOR

Mayor Haley spoke regarding Dr. Neil Snarr who had passed away on January 7th. Mayor Haley reflected on Dr. Snarr's service to Wilmington as a member of City Council as well as a respected member of the community.

STATE OF THE CITY

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Mayor Haley presented his State of the City address to the council and highlighted future endeavors of the administration as they work to improve public safety and enhance the quality of life for residents. Mayor Haley also spoke to new housing proposals, improved traffic flow, transit improvements, Fire Department personnel shortages, and expanding the city's Police Department. Mayor Haley also spoke regarding the issues of homelessness, crime, mental health, substance abuse within the community and his plan of action going forward. Mayor Haley stated he is optimistic about the future of the city.

AUDITOR

Auditor Vance had no report but will speak to the transfer report during the end of the meeting.

LAW DIRECTOR

Law Director J Dickman provided some Municipal Court updates pertaining to Police Department arrests and statistics. He also stated one of the lawsuits pending against the city had been dismissed by the court.

SERVICE DIRECTOR

Service Director Michael Crowe introduced Commissioner Kerry Steed and Director Jeff Walls from the Clinton County Solid Waste Management District who presented a grant check for 2024 Curbside Recycling to Landfill Superintendent C Romohr.

SAFETY DIRECTOR

Safety Director Joseph Spicer had no report.

COUNCIL COMMITTEE REPORTS AND ACTION

CITY SERVICES COMMITTEE

D Wells had no report.

FINANCE COMMITTEE

B Osborn introduced Ordinance O-24-07 Making supplemental appropriations.

B Osborn moved to have the first reading on Ordinance O-24-07 by title only. J Schlabach seconded the motion.

Discussion:

- a) *From the Street Maintenance and Repair Fund to 200.330.5512 "Street Maintenance and Repair Capital Equipment" the sum of \$61,000.00*

B Osborn explained this vehicle was first purchased by the Transit Department for snow removal in their parking lot. The vehicle was deemed to be too large to use in the lot and will now be sold to the Maintenance and Repair Department.

Voice vote: Motion passed unanimously.

The Law Director read Ordinance O-24-07 by title only.

B Osborn moved to suspend the rules and regulations and have the second and third readings on Ordinance No. O-24-07 by title only. J Schlabach seconded the motion.

Roll call vote: Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye. Motion passed.

The Law Director read Ordinance O-24-07 by title only.

B Osborn moved for passage of Ordinance No. O-24-07. J Schlabach seconded the motion.

Roll call vote: Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye. Motion passed.

Ordinance O-24-07 passed as presented.

B Osborn introduced Ordinance O-24-05 Amending Ordinance No. 3654: Establishing salary of Director of public Safety and declaring an emergency.

B Osborn moved to have the first reading on Ordinance O-24-05 by title only. J Knowles seconded the motion.

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Discussion: *President Purkey stated this ordinance has not been updated for almost 30 years. Mayor Haley explained the role of Safety Director and the separation from the previous dual roles of the position.*

Voice vote: Motion passed unanimously.

The Law Director read Ordinance O-24-05 by title only.

B Osborn moved to suspend the rules and regulations and have the second and third readings on Ordinance No. O-24-05 by title only. J Knowles seconded the motion.

Roll call vote: Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye. Motion passed.

The Law Director read Ordinance O-24-05 by title only.

B Osborn moved for passage of Ordinance No. O-24-05. J Knowles seconded the motion.

Roll call vote: Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye. Motion passed.

Ordinance O-24-05 passed as presented.

B Osborn introduced Resolution R-24-07, Expressing intent to sell city surplus items to the public through and online auction service and declaring an emergency.

B Osborn moved to have the first reading on Resolution R-24-07 by title only. J Knowles seconded the motion.

Discussion: *Clarification provided regarding the “declaring an emergency” clause and what it means regarding passage and implementation.*

Voice vote: Motion passed unanimously.

The Law Director read Resolution R-24-07 by title only.

B Osborn moved to suspend the rules and regulations and have the second and third readings on Resolution R-24-07 by title only. J Knowles seconded the motion.

Roll call vote: Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye. Motion passed.

The Law Director read Resolution R-24-07 by title only.

B Osborn moved for passage of Resolution R-24-07. J Knowles seconded the motion.

Roll call vote: Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye. Motion passed.

Resolution R-24-07 passed as presented.

B Osborn introduced Resolution R-24-08, Declaring surplus property, to wit: Maintenance & Repair Department vehicles and equipment valued at more than \$1000 and declaring an emergency.

B Osborn moved to have the first reading on Resolution R-24-08 by title only. K Tolliver seconded the motion.

Discussion: *B Osborn presented the list of surplus vehicles and equipment:*

Ford F350- 2002	VIN: 1FDWF37FX2ED27494
International 4900 Dump Truck- 1999	VIN: 1HTSDAARXXH604735
International 4900 Dump Truck- 1999	VIN: 1HTSDAAR6XH629504
Ford F150- 1987	VIN: 1FTDF15YXHNA16144
Ford F250-2008	VIN: 1FTSX21578EE05782
Cimline-CCS	Serial: 9911451
JCL Street Painter- 1998	
Smith V-box Salt Spreader- 2001	Serial: 6424
Smith V-box Salt Spreader- 2001	Serial: 6403

Voice vote: Motion passed unanimously.

The Law Director read Resolution R-24-08 by title only.

B Osborn moved to suspend the rules and regulations and have the second and third readings on Resolution R-24-08 title only. K Tolliver seconded the motion.

Roll call vote: Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye. Motion passed.

The Law Director read Resolution R-24-08 by title only.

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B Osborn moved for passage of Resolution R-24-08. K Tolliver seconded the motion. Roll call vote: Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye. Motion passed.

Resolution R-24-08 passed as presented.

B Osborn presented Ordinance O-24-06, An Ordinance providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$650,000, in anticipation of the issuance of bonds, for the purpose of paying at maturity, together with other lawfully available funds of the City, the City's outstanding series 2023 landfill notes, and paying related lawful costs of issuance; authorizing a purchase agreement and a registrar agreement; and declaring an emergency.

B Osborn moved to have the first reading on Ordinance O-24-06 by title only. D Nanstad seconded the motion.

Discussion: *Auditor Vance briefly explained the note.*

Voice vote: Motion passed unanimously.

The Law Director read Ordinance O-24-06 by title only.

B Osborn asked that a second and third reading be on the agenda for the February 15th meeting.

JUDICIARY COMMITTEE

J Schlabach had no report.

PUBLIC WORKS COMMITTEE

M Snarr was absent, J Schlabach introduced R-24-06, Authorizing the Director of Public Service to enter into contract with the lowest and best bidder for the East Main Street Storm Sewer Replacement Project, and authorizing expenditure of funds for same, and declaring an emergency.

J Schlabach moved to have the first reading on Resolution R-24-06 by title only. J Knowles seconded the motion.

Discussion: *President Purkey clarified there would be a lane closure on East Main as this project moves forward.*

Voice vote: Motion passed unanimously.

The Law Director read Resolution R-24-06 by title only.

J Schlabach moved to suspend the rules and regulations and have the second and third readings on Resolution R-24-06 title only. J Knowles seconded the motion.

Roll call vote: Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye. Motion passed.

The Law Director read Resolution R-24-06 by title only.

J Schlabach moved for passage of Resolution R-24-06. K Tolliver seconded the motion.

Roll call vote: Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye. Motion passed.

Resolution R-24-06 passed as presented.

REPORTS TO COUNCIL

D Wells moved to accept the Income Tax Report, the Appropriation Transfer Report, and the Municipal Court Report 2023 as presented. J Schlabach seconded the motion.

Discussion: Auditor Vance explained the Transfer report to new members of Council.

Voice vote: Motion passed unanimously.

Reports accepted as presented.

OPEN TO PUBLIC

Dustin Pearce, 276 W. Locust Street- Spoke regarding his previous concerns regarding parking on S South Street and stated he no longer believes that removing the crosswalk in this area would be beneficial.

Jane Tuke Johns, Beechgrove Road- Spoke regarding issues with problem properties within the city and citizen concerns about the safety of neighborhoods.

EXECUTIVE SESSION

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J Knowles moved to enter into Executive session regarding Section 121.22(G)(3) – Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action and Section 121.22(G)(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. K Tolliver seconded the motion.

Roll call vote: Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye. Motion passed.

Executive Session entered into at 8:02 p.m.

J Knowles moved to return from executive session. Seconded by K Tolliver.

Roll call vote: Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye. Motion passed.

Council exited Executive Session at 8:53 p.m.

OTHER ACTION/LEGISLATION

President Purkey introduced Resolution No. R-24-10 Authorizing the Mayor to execute documents in support of the settlement of claims involving improper operation and maintenance charges related to Water Supply at Caesar Creek Lake and the amendment of the water supply contract with the Ohio Department of Natural Resources and declaring an emergency. He briefly explained the impact this settlement would have on future payments to ODNR and stated it was a huge win for the City.

B Osborn moved to have the first reading on Resolution R-24-10 by title only. J Knowles seconded the motion.

Discussion: President Purkey clarified there would be a lane closure on East Main as this project moves forward.

Voice vote: Motion passed unanimously.

The Law Director read Resolution R-24-10 by title only.

B Osborn moved to suspend the rules and regulations and have the second and third readings on Resolution R-24-10 title only. J Knowles seconded the motion.

Roll call vote: Osborn, aye; Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye. Motion passed.

The Law Director read Resolution R-24-10 by title only.

B Osborn moved for passage of Resolution R-24-10. J Knowles seconded the motion.

Roll call vote: Knowles, aye; Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye. Motion passed.

Resolution R-24-10 passed as presented.

President Purkey introduced Ordinance O-24-08 Amending Ordinance O-24-01 Establishing classification and salary ranges for certain City employees, repealing ordinances and conflict herewith and explained this was regarding a new appointed position in the Police Department Police Executive for Administrative Service.

D Nanstad moved to have the first reading on Ordinance O-24-08 by title only. J Knowles seconded the motion.

Discussion: J Knowles inquired if Mayor Haley had someone already in mind for filling this position. Mayor Haley stated the Administration did have someone in mind.

The Law Director read Ordinance O-24-08 by title only.

D Nanstad moved to suspend the rules and regulations and have the second and third readings on Ordinance No. O-24-08 by title only. J Knowles seconded the motion.

Roll call vote: Nanstad, aye; Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye. Motion passed.

The Law Director read Ordinance O-24-08 by title only.

J Knowles moved for passage of Ordinance No. O-24-08. K Tolliver seconded the motion.

Roll call vote: Tolliver, aye; Schlabach, aye; Wells, aye; Osborn, aye; Knowles, aye; Nanstad, aye. Motion passed.

Ordinance O-24-08 passed as presented.

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ADJOURNMENT

D Wells moved to adjourn the meeting.

President Purkey declared the meeting adjourned at 9:05 p.m.

ATTEST:

President of Council

Clerk