

# MINUTES

**Wilmington City Council**

**March 7<sup>th</sup>, 2024**

Wilmington City Council met in regular session on Thursday, March 7<sup>th</sup>, 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 7:06 p.m.

## **ROLL CALL**

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

Chief Wilson 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 Wells moved to approve the agenda as presented K Tolliver seconded the motion.

Discussion: None

Voice vote: Motion passed unanimously.

**Agenda accepted as presented.**

President Purkey presented the minutes from the February 15<sup>th</sup> regular meeting.

K Tolliver moved to approve the minutes of the February 15<sup>th</sup> regular council meeting, as presented, J Schlabach seconded the motion.

Discussion: There was one typo, the spelling of Joel Richter's name.

Voice vote: Motion passed unanimously.

**February 15<sup>th</sup>, 2024, regular City Council minutes approved as presented.**

President Purkey presented a Notice to Legislative Authority for Nirmal LLC for a new license, noting it would be on file with the Clerk.

## **PUBLIC HEARING ON REZONING- WILMINGTON IRON AND METAL**

**Petition for Rezoning of 16.2 acres (more or less) more commonly known as 2149 ST Rt 68 Parcel ID Numbers 290220504000000, 290220505000000, 290220506000000, as filed with the City of Wilmington and approved by the Wilmington Planning Commission on January 9, 2024. The request is to change the zoning from LI (Light Industrial) to GI (General Industrial)**

*President Purkey opened the hearing at 7:10 p.m.*

Cody Buchler with McCarty Associates gave an overview of the request and expansion project. They are requesting three parcels be rezoned from LI (Light Industrial) to GI (General Industrial).

*No public input was presented.*

*President Purkey closed the public hearing at 7:12 p.m.*

## **MAYOR**

Mayor Haley announced the Police Department would be purchasing new black uniforms and will have redesigned patches. He also stated the Transit Department has seen an increase in ridership recently. Mayor Haley also stated there have been some complaints regarding semi-trucks in residential areas attempting to get to TimberTech, Service Director Crowe stated they are working on the issue.

## **AUDITOR**

Auditor Vance had no report.

## **LAW DIRECTOR**

Law Director stated he would have two pieces of legislation regarding the hiring of part time staff for the City Prosecutor's Office, one is the addition of the classified position and the other is the supplement for the salary line.

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### **SERVICE DIRECTOR**

Service Director Michael Crowe had one piece of legislation and introduced Resolution R-24-12 Adopting final legislation for a “Safe Routes to School” Project to install sidewalks on Thorne Avenue. Paul Goodhue presented this information during the Public Workshop.

B Osborn moved to have the first reading on Resolution R-24-12 by title only. J Schlabach seconded the motion.

Discussion: *None*

Voice vote: Motion passed unanimously.

**The Law Director read Resolution R-24-12 by title only.**

B Osborn moved to suspend the rules and regulations and have the second and third readings on Resolution R-24-12 title only. J Schlabach seconded the motion.

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

**The Law Director read Resolution R-24-12 by title only.**

B Osborn moved for passage of Resolution R-24-12. J Schlabach seconded the motion.

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

**Resolution R-24-12 passed as presented.**

### **SAFETY DIRECTOR**

Safety Director Joseph Spicer had one presentation and one piece of legislation to present. He also stated that he had submitted a memo to Mayor Haley regarding the need for full staffing at the Wilmington Fire Department, which would mean hiring a Fire Inspector. He also spoke to the Wilmington Police Department legislation update that was removed from the agenda for today but will need to be resubmitted with the correct information. Chief Wilson spoke to the staffing issues his department is facing.

Auditor Vance stated that Director Spicer will also need to rework the budgeting for the new Police Officers and come back with a cost to Council.

Director Spicer introduced Col. Brian Pricket from the Clinton County Sheriff’s Department to introduce the legislation for the Clinton County 9-1-1 Plan. Col. Pricket stated the Ohio Legislature has been re-working 9-1-1 plans across the state and they had reassembled the 9-1-1 commission to approve a new plan that will need to be approved by every jurisdiction.

K Tolliver moved to have the first reading on Resolution R-24-13, concerning the Clinton County 9-1-1 Plan, by title only. J Knowles seconded the motion.

Discussion: *None*

Voice vote: Motion passed unanimously.

**The Law Director read Resolution R-24-13 by title only.**

K Tolliver moved to suspend the rules and regulations and have the second and third readings on Resolution R-24-13 title only. J Knowles seconded the motion.

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

**The Law Director read Resolution R-24-13 by title only.**

K Tolliver moved for passage of Resolution R-24-13. J Knowles seconded the motion.

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

**Resolution R-24-13 passed as presented.**

## **COUNCIL COMMITTEE REPORTS AND ACTION**

### **CITY SERVICES COMMITTEE**

D Wells had no report.

### **FINANCE COMMITTEE**

B Osborn had two items to present. The first was an Ordinance making supplemental appropriations.

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B Osborn moved to have the first reading on Ordinance O-24-14 by title only. M Snarr seconded the motion.

Discussion:

- a. *From the General Fund to 110.181.5111 "Director of Law Salaries" the sum of \$55,543.00*

Voice vote: Motion passed unanimously.

**The Law Director read Ordinance O-24-14 by title only.**

B Osborn moved to suspend the rules and regulations and have the second and third readings on Ordinance No. O-24-14 by title only. J Schlabach seconded the motion.

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

**The Law Director read Ordinance O-24-14 by title only.**

B Osborn moved for passage of Ordinance No. O-24-14. J Schlabach seconded the motion.

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

**Ordinance O-24-14 passed as presented.**

B Osborn introduced Ordinance O-24-15 Declaring surplus property located at 184 N. Mulberry Street.

B Osborn moved to have the first reading on Ordinance O-24-15 by title only. M Snarr seconded the motion.

Discussion: *Service Director Crow clarified that this is not a buildable lot and that there are some flooding issues. The next-door property owner is interested in purchasing to alleviate some drainage issues.*

Voice vote: Motion passed unanimously.

**The Law Director read Ordinance O-24-15 by title only.**

B Osborn moved to suspend the rules and regulations and have the second and third readings on Ordinance No. O-24-15 by title only. M Snarr seconded the motion.

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

**The Law Director read Ordinance O-24-15 by title only.**

B Osborn moved for passage of Ordinance No. O-24-15. M Snarr seconded the motion.

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

**Ordinance O-24-15 passed as presented.**

## JUDICIARY COMMITTEE

J Schlabach had four pieces of legislation to present.

J Schlabach introduced Ordinance O-24-12 Changing the zoning of real property located on ST RT 68 in the City of Wilmington, Ohio.

J Schlabach moved to have the first reading on Ordinance O-24-12 by title only. J Knowles seconded the motion.

Discussion: *None*

Voice vote: Motion passed unanimously.

**The Law Director read Ordinance O-24-12 by title only.**

J Schlabach moved to suspend the rules and regulations and have the second and third readings on Ordinance No. O-24-12 by title only. J Knowles seconded the motion.

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

**The Law Director read Ordinance O-24-12 by title only.**

J Schlabach moved for passage of Ordinance No. O-24-12. J Knowles seconded the motion.

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

**Ordinance O-24-12 passed as presented.**

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J Schlabach introduced Ordinance O-24-13 Modifying Chapter 172 to the Codified Ordinances of the City of Wilmington, Ohio and declaring an emergency.

J Schlabach moved to have the first reading on Ordinance O-24-13 by title only. M Snarr seconded the motion.

Discussion: *Tax Commissioner Marque Jones explained HB 33 and the changes in the ordinance for this year.*

Voice vote: Motion passed unanimously.

**The Law Director read Ordinance O-24-13 by title only.**

J Schlabach moved to suspend the rules and regulations and have the second and third readings on Ordinance No. O-24-13 by title only. M Snarr seconded the motion.

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

**The Law Director read Ordinance O-24-13 by title only.**

J Schlabach moved for passage of Ordinance No. O-24-13. M Snarr seconded the motion.

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

**Ordinance O-24-13 passed as presented.**

J Schlabach introduced Ordinance O-24-16 An Ordinance revising the Wilmington Codified Ordinances by enacting Section 1151.06 to address the provision of recently passed State Issue 2 (Chapter 3780 of the Ohio Revised Code) regarding adult use of cannabis and cultivation facilities, pursuant to the authority set forth in Ohio Revised Code Section 3780.25 (Local Authority Regarding Adult Use Operators) and declaring an emergency.

J Schlabach moved to have the first reading on Ordinance O-24-16 by title only. B Osborn seconded the motion.

Discussion: *None*

Voice vote: Motion passed unanimously.

**The Law Director read Ordinance O-24-13 by title only.**

J Schlabach asked to have the 2<sup>nd</sup> reading on the March 21<sup>st</sup> Council Agenda.

J Schlabach introduced Ordinance O-24-17 Amending Ordinance No. O-24-11 Establishing classification and salary ranges for certain city employees, repealing Ordinances and parts of Ordinance in conflict herewith.

J Schlabach moved to have the first reading on Ordinance O-24-17 by title only. K Tolliver seconded the motion.

Discussion: *None*

Voice vote: Motion passed unanimously.

**The Law Director read Ordinance O-24-17 by title only.**

J Schlabach moved to suspend the rules and regulations and have the second and third readings on Ordinance No. O-24-17 by title only. K Tolliver seconded the motion.

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

**The Law Director read Ordinance O-24-17 by title only.**

J Schlabach moved for passage of Ordinance No. O-24-17. K Tolliver seconded the motion.

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

**Ordinance O-24-17 passed as presented.**

## **PUBLIC WORKS COMMITTEE**

M Snarr had no report but stated Stormwater Administrator Eric Green will be present at the next meeting to speak on stormwater and exceptions.

## **REPORTS TO COUNCIL**

D Wells moved to accept the Income Tax Report- February 2024. B Osborn seconded the motion.

Discussion: *None*

Voice vote: Motion passed unanimously.

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**Report accepted as presented.**

**OPEN TO PUBLIC**

Daniel Lawrence of 355 N. Walnut Street spoke about his poor experiences living in Wilmington.

Eric Westerbury of 2519 Prairie Road spoke about his issues regarding our Federal Government, the decay of our education system, and immigration.

Jane Johns of 3537 S. Beechgrove Road read a from a petition from the “Clinton County Unity” group and presented it with 505 collected signatures of support.

Brian Shidaker of 971 Hickory Trail spoke regarding his run for County Prosecutor and asked for votes in the upcoming Primary Election.

Danielle Mojica (declined to give address) spoke regarding Domestic Violence and those who are affected by it. She asked for better support and more services.

**ADJOURNMENT**

D Wells moved to adjourn the meeting.

**President Purkey declared the meeting adjourned at 8:37 p.m.**

ATTEST:

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President of Council

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Clerk