

Wilmington City Council met on Thursday, September 6, 2012, with President Pro Tem Mark McKay presiding.

Call to Order

Roll Call: Jaehnig, present; Wells, present; Stuckert, present; Wallace, present; Mead, present; Siebenaller, present; McKay, present.

President Pro Tem McKay: We'll note that President Kirchner is not with us tonight. He was delayed in a thunderstorm in Tampa. It could be the remnants of the Republican Convention; I don't know.

Assistant Chief Weyand was also present.

President Pro Tem of Council asked cell phones to be set to silent mode.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

President of Council

A motion was made by Wells and seconded by Stuckert to approve the minutes of the last regular meeting, August 16, as presented.

Motion passed.

Minutes approved as presented.

President Pro Tem McKay: That is all I have on my agenda tonight. Mr. Mayor?

Mayor - Mayor Riley – Thank you, Mark. To start out with, I would invite Debbie Stamper to step up for a presentation.

Debbie Stamper: Good evening. Now, as the mayor has said, "Wilmington is open for business," and I'm here to tell you tonight so is the travel and tourism industry. Visitor travel in our community is growing. It's also something we can measure and it is something that impacts our economic welfare. But, you don't have to believe me, because we're going to look real briefly at this report that I'm giving you copies of. You may have seen some of these numbers, so I'm going to make it brief tonight. You can look at this at your leisure more in-depth, but we're going hit on some of the highlights. These are the numbers from 2011. The state does this study every two years for us. We pay for it, but they do it for us. It does give us some accountability and tells us the impact of what we are doing. 2012 we know is going to be better because of so many new events and things that have been going on this year in the community. So, I would say turn your cover page over and that first page you come to is the return on investment. I think these statistics are probably the most revealing. When you look at return on investment that is derived from each dollar bill that we've received from lodging tax. Basically what this is saying is that for every dollar the Convention and Visitor's Bureau spends, it reaps this rewards. So, for every dollar we spend, two and a half people came to Clinton County in 2011. \$333 was returned as visitor's spending, so we're talking about 333:1. That's a pretty good return. \$8.38 was returned in state tax revenue and \$13.55 in local tax revenue. You'll see below there we had 680,000 visitors in 2011 and you may say, "Man, that's an outrageous number." If you divide it by 365, it would be 1300 people a day. That isn't realistic and you can't look at it that way. You have to look at the fact that Cowan Lake brings a half a million people a year to their park. The Corn Festival brings in over three days, 40,000. A sporting event might bring upwards of two, three, four thousand people. So, that's where those numbers are coming from. It looks like a whole lot though when you put it all together. That is a 10% increase over 2009, which is when the last study was done. I would venture to say that on these return numbers that there is no other industry in the city or in the county that's doing that – that they're getting that kind of return on their investment. If you would, turn to the next page, page 3, and what I just want to point out here – this gives us actual sales. What did visitors spend in our entire county for 2011 – it was \$81.5 million. What

was spent on wages – these are wages that directly coincide with the travel and tourism industry – hospitality particularly – is \$25 million. Taxes were \$10.5. Okay, if you turn over to page 21. I thought you might want to look at where we stand in comparison with the other counties that are considered to be in the southwestern Ohio region. I would say that the two counties that I compare us most to would be Fayette County and Darke County. We're very, very similar to them in demographics and also in population and just the make-up of our counties. Fayette's got the Tanger Outlet Malls. That's a huge attraction for them. It brings in a lot of people, hundreds of bus groups a year. Even so, we did better than those two counties. Really, we did better than any county except for the ones that have a much higher population than what we do. If you turn to the next page, page 26, this kind of shows where we've been and where we are now. And in 2009, like I said, that was the most recent study that was done before this one. Our sales that year were \$74.3 million. We were down 11.9% over 2007. I think it goes without saying why. We were down. We had just come off of the announcement by DHL. We had lost a significant amount of business travelers. The whole PR surrounding our community was doom and gloom. You know, there are no jobs. It's very hard to entice people to visit someplace when there's that kind of publicity going on. So then in 2010, we actually came up a little bit. We came up 6%. And then for 2011, we were up another 3.3%. So, we're not back where we were quite in 2007, but we're close. I really believe with what has been going on in 2012, our next report will show that we have exceeded where we were before then – the fiasco that occurred here. This also compares it to the state. Because the economy was in shambles as it was. The state during that similar period of time, in 2009, was down 8.8. So, I think it could have been a lot worse for us, to only have been down that much from where the whole state was. Of course, the state includes us, so it includes those lower figures for counties that had a significant decrease. Turn to the next page, 27. This kind of shows where the money was spent. I just wanted to bring this to your attention. Visitors spent the most money in retail, with retailers, in retail trade. Secondly in food and beverage. I don't think that's surprising at all, but I just wanted to bring it to your attention that our retailers are benefiting from visitors to the county. Then, if you'll go over to 29, this is talking about employment. These are the jobs that are in the area as a result of travel and tourism. This breaks it down and shows you where these people are working. So, the largest group is in food and beverage, 339. Again it isn't surprising because food and beverage is a very labor-intensive industry, so I think we would expect that. Again, the next largest group of jobs is in retail trade. Then, if you will go over to 33 – this just kind of goes over what kind of taxes were generated. \$10 million by Clinton County in taxes overall, \$5 million in state and \$2 million in local, so it is generating taxes for the community as well. Those are really the things that I wanted to point out. Just kind of in conclusion, what I would say, when you're talking to others or talking amongst yourselves, or talking to other people in the community or even talking to people who are outside our community about bringing money to Clinton County, don't forget about the Convention and Visitor's Bureau because visitation does not happen in a vacuum. People don't just come. It doesn't happen that way. It takes very aggressive marketing and very aggressive sales efforts to make that happen. I think we succeed very well with that. Our goal is to continue on with that and keep driving those numbers up. That is our mission, and we look forward to doing that. That is all I have. If there are any questions, I would be happy to answer those.

Paul Hunter: Debbie, Parks & Recreation contribute considerably to at least the hospitality portion of it. Do you know how much it generates?

Debbie Stamper: I don't have numbers with me tonight. We had just started tracking how many hotel rooms are booked from different tournaments that go on there. Historically, the parks themselves have not benefited, because they have not been charging, but that's going to change. But definitely, our restaurants are definitely benefiting from it, and the hotels. What we want to do is in working with Lori Williams and the City Parks, a new model is going to be designed that all of the hotels and some of the restaurants have said, "We'll pitch in. We'll help out to keep these tournaments here," so the park can make some money while they're doing it, so we can keep the tournaments here and it could still benefit people in hospitality.

Paul Hunter: Well, the Parks are broke.

Debbie Stamper: Hopefully this would assist. Right now they don't have anything to gain by having those tournaments – they themselves – that entity, they don't gain anything. But the community as a whole does gain something. I'm sorry, though, I don't have any numbers off the top of my head.

Mayor Riley: Part of the beauty of this, you never know where the next good economic development lead is going to come from. Debbie and Rob worked together on the East Coast Timers Association, bringing them to the Air Park, and it was a tremendous success. They had a great time. One of the things that I just absolutely am so proud of is how they speak so highly of Wilmington after they have been here. They want to come back. I mentioned this morning in a meeting about my wife and I Tuesday evening were out at El Dorado. A tour bus came in. It rather surprised us to see a tour bus pull in. Twenty, thirty, forty people came out with name tags on. I was chatting with them and as a group they were touring prehistoric mounds, like Serpent Mound and Fort Ancient. But they were going all over this whole area. They all stopped and ate at El Dorado. They were spending the night at the Holiday Inn Express. They were so impressed with Wilmington that we are now on their itinerary. This is where they are going to stop, because this is such a friendly pretty city, and they just liked Wilmington and how it made them feel. So, my hats off to Debbie for the hospitality that you keep talking about and helping everybody remember how important it is for tourism. Thank you so much for what you do. It's really important.

[General comments of thanks]

Mayor Riley: Also, I would invite Trish up if you would. This is something that we do every year. I do mayoral proclamations, but this one is near and dear. My father-in-law is 92-years-old. He is not with the Adult Day Center, but I understand what you are doing over there and it is such a vital service that you are providing, not just to Wilmington but to the entire community. So, this is the proclamation.

WHEREAS, The Clinton County Adult Day Center celebrates Adult Day Services week each year. This year the Center will celebrate their 20th anniversary during National Adult Day Services week with a variety of activities beginning with an Open House, Sunday, September 16, 2012, at 1:00 p.m. at the CC Adult Day Center in the Wilmington Friends Meeting; and

WHEREAS, the Clinton County Adult Day Center is in their 20th year of fulfilling their mission, which is to provide respite for caregivers and assistance with activities of daily living for impaired adults in a protective group setting, allowing families to continue to care for their loved ones at home, thus avoiding premature or inappropriate institutionalization; and

WHEREAS, the Clinton County Adult Day Center is a community-based program that enhances the quality of life for its participants, promoting emotional, physical, and spiritual wellbeing, enabling them to continue to be active and involved with the community; and

WHEREAS, the services provided by the Clinton County Adult Day Center include supervision, nutritionally balanced meals and snack, social interaction with staff and peers, exercise, education and resources, recreation, groups and individual activities, and personalized care plans to meet individual needs.

NOW, THEREFORE, I, Randy Riley, Mayor of the City of Wilmington, Ohio, do hereby proclaim September 16-22 to be

Adult Day Center Week

in the City of Wilmington and urge residents to express their appreciation for the valuable services provided by these caregivers in our community.

Mayor Riley: And I say God bless you what you do, for all that you folks do. Unless you have someone who has been involved, it's difficult to explain how important it is what you do. Please convey our appreciation, best wishes and congratulations to everyone. I remember when it started 20 years ago. It doesn't seem like 20 years ago. But, 20 years of caring, God bless you and thank you.

[Applause]

President Pro Tem McKay: I will blow my own horn a little bit. The ministry is located in the Wilmington Friends Meeting where I attend, right across the parking lot. So, we have a lot of occasion to visit those folks. Sometimes surprise visits. They're always just doing a great job with the folks there. People are so surprised that something like that actually exists in the community. They do a great job. Thank you.

Mayor Riley: It is a wonderful service that you provide. Thank you so much. Also, I would like to invite everyone – you should have received an invitation to the 9/11 Remembrance Ceremony that will be held at 7:30 a.m. this coming Tuesday, September 11, in our parking lot. It's something that...we talked about this...whether we were going to continue. I said, absolutely, as long as I'm here anyhow, we will continue because we must vow never to forget and always to remember all the brave men and women who responded and who we lost on that day. I invite everyone to our Remembrance Ceremony at 9:30 by the flag.

Councilman Jaehnig: 7:30.

Mayor Riley: What did I say?

Councilman Jaehnig: 9:30.

Mayor Riley: Okay. You could be late.

[Laughter]

Mayor Riley: 7:30 in the morning. Bright and early. We'll probably be done by 8:00, so we'll be able to get on with the day. Thank you, Rob.

Councilman Jaehnig: Will there be breakfast?

Mayor Riley: There will be donuts and coffee. Extra enticement. Also at your places, you should have a report from the young professionals meeting that we had on August 7. I mentioned this to everyone. Chris Schock gave this to me this past week and it goes over everything that was discussed at the meeting. I wanted everyone to have time to look at this before Chris came in and talked, so at our next meeting, I will invite Chris Schock to come in and go over all of this information. But I said, "Let's not just hand it out and talk about it, let's give it to council and give them a couple of weeks to read over it and we'll talk about this in two weeks." So, I give this to you for your review. With that, I believe I am done, sir.

President Pro Tem McKay: Thank you, Mr. Mayor. If you think of anything else, just let me know.

Auditor - Auditor David Hollingsworth: I don't have anything under my portion of the agenda, but if Councilman Mead doesn't mind, I'll mention something under Item F, underneath Finance, just kind of adding something to our budget meeting the other night.

Asset, Acquisition and Use. - Chairperson Bob Mead had no report.

Finance Committee - Chairperson Mead: I do have an agenda this evening, A through F and maybe G. These are mostly three readings in one evening. The first item on the agenda is three readings on an ordinance making supplemental appropriations. This has to do with the waste department taking money from a waste fund for gasoline expenses and also from the waste fund to buy some new tires for vehicles.

A motion was made by Mead and seconded by Siebenaller to give the first reading only on the ordinance Making Supplemental Appropriations.

President asked for discussion.

Seeing none, President Pro Tem called for vote.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mead and seconded by Siebenaller to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes.

Director of Law read the ordinance by title only.

A motion was made by Mead and seconded by Siebenaller to pass the ordinance as read.

Roll call: Wells, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes;

Motion passed.

President Pro Tem of Council declared Ord. No. 5041 passed as read.

Councilman Mead: The next item is a resolution approving liens pursuant to Chapters, and it gives you the numbers there on the agenda from the revised code. You can read through that if you like. It is a fairly thick bunch of papers in your packet. It has to do with the fact that the city is going to forward costs for pickup of litter, cutting grass, collection of debris and such things that the owners won't do and they have had to go ahead and do. They are going to forward this on to the county so they can put it on somebody's taxes.

A motion was made by Mead and seconded by Stuckert to give the first reading only on a resolution Approving Liens Pursuant to Chapters 729.49, 743.04 of the Ohio Revised Code and Chapters 923.09, 929.03 and 1729.03 of the Codified Ordinance of the City of Wilmington.

President Pro Tem asked for discussion.

Councilman Jaehnig: If I could just make one comment, President Pro Tem. I made the same comment last year, and I'm sure I'll get phone calls of displeasure of me pointing it out again, this is the second year in the row that the largest number of these liens that are being placed are properties that are currently owned by a financial institutions or mortgage companies. It's hard enough to make sure that the city is in good shape as we attract new businesses and so forth, but when the financial institutions and mortgage companies are not taking care of their properties it makes it even harder. Citizens are going to have problems on occasion; it's totally understandable. But these companies, I would just love to see them step up and take care of their properties and help the city out and help the city move forward.

President Pro Tem McKay: Thank you, Councilman Jaehnig. Any other discussion?

Councilman Wallace: I have a question. Is there a minimum that we charge on this, because some of these charges... a couple of these water bills seem like almost [inaudible]. Do we...if they owe us money, we put it on?

Service Director Reinsmith: We get it.

President Pro Tem McKay: Are there any other questions?

Seeing none, President Pro Tem called for vote.

Motion passed.

Director of Law read resolution by title only.

A motion was made by Mead and seconded by Stuckert to suspend the rules and give the second and third reading on the resolution by title only.

Roll call: Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes.

Director of Law read the resolution by title only.

A motion was made by Mead and seconded by Stuckert to pass the resolution as read.

Roll call: Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes.

Motion passed.

President Pro Tem of Council declared Res. No. 2297 passed as read.

Councilman Mead: The next item is going to be kind of self-explanatory. It's three readings on a resolution declaring it necessary to light the streets, lanes, alleys, lands, squares and public places in the City of Wilmington with electric lights, and for making special assessment to be levied to pay the cost thereof for the year 2013. The assessments, some of it goes to the property owners and the remainder is paid by the City.

A motion was made by Mead and seconded by Wallace to give the first reading only on a resolution Declaring it Necessary to Light the Streets, Lanes, Alleys, Lands, Squares, and Public Places in the City of Wilmington, Ohio, with Electric lights, and for Special Assessments to be Levied to Pay the Cost Thereof for the Year 2013.

President Pro Tem asked for discussion.

Seeing none, President Pro Tem called for vote.

Motion passed.

Director of Law read resolution by title only.

A motion was made by Mead and seconded by Wallace to suspend the rules and give the second and third reading on the resolution by title only.

Roll call: Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes.

Director of Law read the resolution by title only.

A motion was made by Mead and seconded by Wallace to pass the resolution as read.

Roll call: Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes;

Wallace, yes; Mead, yes.

Motion passed.

President Pro Tem of Council declared Res. No. 2298 passed as read.

Councilman Mead: We're getting there. The next item is three readings on a resolution authorizing payment of expenses incurred in the prior fiscal year, this being the project expenses for the Sugartree Street Corridor, and they amount to \$24,495.51. They were incurred last year and were paid this year.

A motion was made by Mead and seconded by Jaehnig to give the first reading only on a resolution Authorizing Payment of Expenses Incurred in Prior Fiscal Year.

President Pro Tem asked for discussion.

Seeing none, President Pro Tem called for vote.

Motion passed.

Director of Law read resolution by title only.

A motion was made by Mead and seconded by Jaehnig to suspend the rules and give the second and third reading on the resolution by title only.

Roll call: McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes.

Director of Law read the resolution by title only.

A motion was made by Mead and seconded by Jaehnig to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes.

Motion passed.

President Pro Tem of Council declared Res. No. 2299 passed as read.

Councilman Mead: The next item is three readings on a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. You have a copy of this in your packet and it's something that has to be done every year at least once.

A motion was made by Mead and seconded by Stuckert to give the first reading only on a resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor.

President Pro Tem asked for discussion.

Councilman Jaehnig: Paul, this is the final for 2012 or 2013?

Paul Fear: 2013.

President Pro Tem McKay asked for other discussion.

Seeing none, President Pro Tem called for vote.

Motion passed.

Director of Law read resolution by title only.

A motion was made by Mead and seconded by Stuckert to suspend the rules and give the second and third reading on the resolution by title only.

Roll call: Wells, yes; Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes.

Director of Law read the resolution by title only.

A motion was made by Mead and seconded by Stuckert to pass the resolution as read.

Roll call: Stuckert, yes; Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes.

Motion passed.

President Pro Tem of Council declared Res. No. 2300 passed as read.

Councilman Mead: The last item is just some housekeeping. I wanted to solidify some things that we talked about in the last budget meeting. Also, I've heard some discussion today in committee meetings about it. It has to do with the amount of carryover that we think is the proper number to use. In the last budget meeting, I believe, Councilman Wallace expressed concern that we haven't done anything yet about establishing parameters for this next budget we're going to work on. One of those parameters was the amount of carryover. He wasn't saying it should be one thing or another, he was just saying we need to do that. In that same meeting, Councilman McKay offered that 25% carryover seemed to be a reasonable and prudent amount to use. In the past times, the Auditor has suggested that is a reasonable rule of thumb, or a reasonable number to use for carryover. I believe even the mayor agreed that that sounded like a reasonable amount in that particular meeting. So what I would like to ask for this evening is that I would like to ask the council to adopt this minimum of 25% carryover for use in establishing our new budget. I would like them to adopt that. Everything else has been unanimous tonight. I would like to see the council adopt that as a starting point that we can use as we go into our budget. I would like to move that the council agree to use a minimum of 25% carryover – the reason I say minimum is because we have \$10 million in the carryover, we can do that – it's just that we shouldn't go below 25%. That's what I am asking. So, I am making a motion and asking for the council to vote on that.

President Pro Tem McKay: What is the exact motion, Bob?

Councilman Mead: That the council adopt a minimum 25% carryover for use of establishing any new budget.

Councilman Jaehnig: I think we need to be a little bit more specific in regards to permanently or for 2013 or for...

Councilman Mead: For the time being and then council can change that at any time. We're asking...as Mike asked....let's get this thing moving. Let's make some decisions.

Councilman Jaehnig: The reason I ask that question is because the additional discussion was that a good starting point. Personally, I would like to see that revisited every year. Now, if we can continue to bump it up to 30 or 35 or whatever. But by just approving for a single year then it forces us to come back and visit it every year instead of just, as has been suggested in the past, just going along with what is already on the books. My suggestion would be that if we go ahead with this, we say just for 2013 so we have to come back and talk about it again next year.

Councilman Mead: So you feel that's what we should do.

Councilman Jaehnig: That is my suggestion.

Councilman Mead: I don't see anything wrong with that. That will give us parameters to get going since our budget season is upon us. So, the motion is so worded.

A motion was made by Mead and seconded by Stuckert to create a parameter that the minimum carryover for the year 2013 be 25%.

Councilman Stuckert: I believe that would be a prudent thing for us today. Again, I agree with Councilman Jaehnig that it would be great if we could come back and visit that next year because we want to raise it or something like that.

President Pro Tem asked for discussion.

Auditor David Hollingsworth: There was a question that came out of that meeting, how much money we needed to start the year with to make sure we didn't run short. So I prepared, this has the last three years on it. What we started each year with in cash, what we collected each month, by month, for the first three months, and where our cash balance was at the end. If we use the number \$2.5 million, that is more than enough to cover our cash flow. We're fortunate that most of our tax dollars are collected up front and it probably would have been a little more telling if I would have included April, because April is when first quarter withholding payments are due as well as income tax returns, unless the income tax returns are extended. But that gives you an idea...for the last three years...where our cash balance, what kind of money we've collected and what we've spent in those first three months.

Councilman Mead: Thank you, David.

Paul Hunter: Have we traditionally had 25% minimum over all the years? One quarters' worth of expenditures? I'm not countering that, but are we continuing what we have tried to do. Is that necessary for bond interest? That plays on that, does it not?

Auditor David Hollingsworth: That was just a suggestion. I mean there's nothing to say what the effect would be if it dropped below 25%, if that would affect our bond rating or not.

Paul Hunter: That was always the rationale.

Auditor David Hollingsworth: And the rationale was that somebody, a bond underwriter or a bond purchaser, wanted to make sure you had money in reserve if you did hit a bump in the road – that you'd be able to cover your expenses. So, that being the case then, I mean, there is the assumption that you're going to have to dip into that probably at some point, you know, if you have a little glitch in the economy or whatever. So, it's not necessarily that it has to stay at 25%.

Councilman Jaehnig: In answer to Paul's question, though, I believe that back in 2007, our carryover was only \$1.9, which was less than 25% of the proposed budget for 2010.

Councilman McKay: Can I ask a question for clarification? Are we talking about 25% of the revenue or...

Councilman Jaehnig: Expenditures.

Councilman McKay: Expenditures. Of the budget. Okay. Thank you.

Paul Fear: It can't hurt our bond rating in any way, shape, or form. I know we don't necessarily measure the impact, but...

Auditor David Hollingsworth: Well, our bond rating had never really been changed. Like you said, it dropped below 25%. Our bond rating was not affected because we have had bond issues in that interim period. Typically, if you understand the history of the bonds that we have issued, more often than not we go to a bond insurer. In doing that,

you're automatically guaranteed a AAA rating. So, it doesn't make an difference, really, what your...well, it does to some degree, but not as much, as far as what your cash reserves are.

Paul Fear: The bond underwriter this past year did not discuss what our carryover was. It discussed our deficit budget... That was written in there, but they did not say that caused it to go below 25%. The deficit budget was more of an issue than carryover was.

Auditor David Hollingsworth: Well, Mary Kay and I were on the phone with our bond underwriter for probably well over two hours. There was never a discussion of what the cash reserve balance was. It was more on the local economy, you know. Actually, they asked us questions that were really more pertinent to the county than to us, because they were concerned about real estate valuations and things of that nature.

Councilman Mead: If there is no more discussion, I would feel very good about it, since it seems like we might be able to get this thing moving if the council could consider a unanimous vote on this particular agreement. We could get moving.

Councilman McKay: Is there further discussion.

Mayor Riley: I would only note that as a County Commissioner, when I first became a County Commissioner in January 2005, the county barely had enough money to make their first payroll, so they had just a shade over \$200,000 carryover. That scared everybody. That is not good money management. We worked very hard to get beyond that. Actually, a few years later we had recovered most of our carryover – a considerable carryover – but we had a meeting with Moody's in Chicago. They said the rule of thumb is three months, 25%. That's the rule of thumb and that came directly from the folks at Moody's. That, I think Bob, is just good financial management.

Councilman McKay: I guess I would ask our Auditor if he feels that this puts us under any kind of constraints that would be difficult for us to achieve as we see things now.

Auditor David Hollingsworth: It really depends on where the budget comes in. In my opinion, if it is a matter of having to cut into services to the citizens, if it means going from two and a half – say the number's \$2.5 million; going to \$2.2 million, if this is going to restrict you from using part of that reserve and you have to cut back on services, I can't see doing that. But I think that would be probably an exception. That would be something that you guys would have to take a look at.

Councilman Jaehnig: Well, I assume the administration would come back for discussion at that particular point, saying "I understand what council passed. I understand what council's intentions and desires are, and if we hold to that, this is what we see as potentially being jeopardized based on the current budget figures that we are getting ready to come to you with."

Auditor David Hollingsworth: So as long as you are not taking that flexibility away.

Councilman McKay: If we could call this a guideline that is proposed by council – a general guideline rather than a hard and fast rule, I think I would be more in favor of it because of this possible flexibility needed.

Councilman Mead: I prefer to leave it as it is because it gives us something to shoot at. Council can come back at any point and revisit anything, so that option is always there, but it gives us a positive thing so we don't start out thinking, "Well, we don't really have to do that." I'd like for us to agree that we ought to do that and then just bust ourselves to do it.

Councilman McKay: The only concern is affecting the citizens. That would be my concern.

Councilman Jaehnig: The thing I liked about Councilman Wallace's approach was council freeing up the administration to do what they need to do in regards to the budget.

Because I think if the seven of us got down to arguing each individual point, while we could come together on something of this nature, on each individual point, there are going to be different things that each of us feel passionately about. That's the point: while we're responsible for the money that is being spent in the city and approving the budget, I think it's the administration's responsibility to set those budgets and determine what is going to be spent where. I think it really gives us an opportunity to separate that and allow the administration do what they need to do and yet council have some control over those purse strings and make sure that we are moving set for the future. I would agree with Councilman Mead – if we have to come back in two months because the administration flat-out says, "Hey, this and this and this has happened since the last time we talked. We're going to do what you want to do, but we want you to know the effects before you put this through and give you the opportunity to revisit this." So whether it's a guideline or not, that's the option. We'll get a real good understanding real fast of whether we have to approach a revenue issue and pursuing with the public whether we need to implement taxes or something of that nature and let the public speak to the issue.

Mayor Riley: Interestingly enough, when we were at Moody's in Chicago a few years ago as the County Commissioners, the financial advisors for Moody's that were talking about the 25% - we were trying to use appropriate terms for the carryover. And they said, "It's a rainy day fund. It's a rainy day fund." If you have a disaster that hits your community that you're not anticipating, you need to have a cushion. God forbid that a tornado hit Wilmington and wipe out part of a subdivision and a major employer or an employer and just really has a terrible effect. We need to continue to provide services as we adjust to our new reality. That's what this is for.

President Pro Tem McKay asked for discussion.

Seeing none, President Pro Tem McKay called for a roll call vote.

Roll call: Wallace, yes; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes.

Motion passes.

Councilman Mead: Thank you, thank you, thank you. That's all I have at this time.

Water Committee - Chairperson Wallace had no report.

Streets Committee - Chairperson McKay had no report.

Solid Waste/Recycling - Chairperson Wells had no report.

Wastewater/Sewer Committee - Chairperson Stuckert: Mr. President, we do have one item on Wastewater/Sewer. It's a third reading on an ordinance amending Chapter 922 of the Sewer Use Regulations of the Codified Ordinances. This is something...we've had two readings previously and it has to do with language changes that the EPA has more or less dictated.

A motion was made by Stuckert and seconded by Mead to give the third reading only on the ordinance Amending Chapter 922, Sewer Use Regulations, of the Codified Ordinances.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Stuckert and seconded by Mead that the ordinance be passed as read.

Motion passed.

President Pro Tem of Council declared Ordinance No. 5042 passed as read.

Judiciary Committee - Chairperson Stuckert: On Judiciary, we have two items. These both have to do with our Transit Authority's process that they go through every year to obtain funding. We have to authorize these two resolutions. I believe we have had the public hearing. Have we had a public hearing?

Councilman Jaehnig: That's coming up on the second and third reading.

Councilman Stuckert: Well we will have a public hearing on that.

A motion was made by Stuckert and seconded by Mead to give the first reading only on the resolution Authorizing the Submittal of a Proposal with the Ohio Department of Transportation for a Grant Through the U.S. DOT Federal Transit Law, as Codified, 49 USC Section 5311, Financial Assistance for Other than Urbanized Areas and Funds Available from the Ohio Public Transportation Grant Program and Executing a Contract with the Ohio Department of Transportation Upon Grant Proposal Acceptance.

President Pro Tem asked for discussion.

Seeing none, President Pro Tem called for a vote.

Motion passed.

Director of Law read ordinance by title only.

Stuckert requested that the second reading be on the Agenda for the next meeting.

Councilman Stuckert: President Pro Tem, tied to that is a second resolution.

A motion was made by Stuckert and seconded by Siebenaller to give the first reading only on the resolution Authorizing the Mayor to Enter into a Contract with the Ohio Department of Transportation for the 2013 Elderly and Disabled Transit Fare Assistance Program.

President Pro Tem asked for discussion.

Seeing none, President Pro Tem called for a vote.

Motion passed.

Director of Law read ordinance by title only.

Stuckert requested that the second reading be on the Agenda for the next meeting.

Safety Committee - Chairperson Wells: I have nothing on the agenda; however, I would like to thank Chief Weyand for conducting the survey and providing the results to the News Journal to publish and thank him for his ongoing efforts to save the taxpayers' money in the Police Department. Thank you. That's all I have.

Downtown Revitalization Committee – Councilman Jaehnig: We have all kinds of exciting things. Obviously, it's Corn Festival weekend. We have the big Corn Parade coming through downtown on Saturday, so please come on downtown and get yourself some breakfast, some coffee, join the fun and then head out to the fairgrounds afterwards.

President Pro Tem McKay: 10 a.m.

Councilman Jaehnig: 10 a.m. Thank you. Also, the Murphy season is starting to get cranked up. If you haven't had a chance to check out their schedule, it really is an aggressive schedule. There are a lot of wonderful acts coming in for this 2012-2013 season. They're kicking it off with Georgette Jones, who is the daughter of George Jones and Tammy Wynette. That really looks to be something special. I know it's hard to believe, but it is Holidazzle season. I know you don't see snow out there yet, but the applications are up and available on-line at holidazzlecc.com for the parade. We do fully expect that all 80 entry spots will be filled. We did turn people away last year for the first time. So, if you're interesting in having an entry in the parade, please go online and get signed up right away. We are looking for some special entries this year also, so if you have not participated or you're looking for something new to do, we are desperately hoping someone will put together a trash can band. We also would like to see a grocery cart drill team or maybe even the frat house will come through and do a sumo wrestler's drill team. But we're looking to add a little bit of levity to Holidazzle this year and up the fun even more. So, that's it for downtown.

Mayor Riley: I didn't believe you when you said that earlier today. So, I looked it up, and it actually goes beyond that. There is a drill team, and I just blanked out on where they're from. They are a vacuum cleaner and broom drill team. These are guys that have some kind of a routine in parades. They are in demand all over the nation because they

are a precision vacuum cleaner and broom drill team. Go to YouTube. I'm not making this up.

Councilman Jaehnig: That whole type of entry in a parade started with a group of lawyers in Detroit, Michigan, and that was the briefcase drill team for the Thanksgiving Day Parade. That's where that started. Of course, I am proud to say that I am from Michigan originally and Go Blue.

President Pro Tem McKay: You know, we could have gone all night without that. You did say you were done, didn't you?

Councilman Jaehnig: I am done. If not, I am now, aren't I?

Paul Fear: This is the week for the Kawana Soccer Classic at 5:00 and 7:30 Friday night at the College.

Councilman Jaehnig: Yes it is. Thank you for bringing that up, Paul. That is this weekend. It is also the Ohio Draft Horse Association annual event out at Roberts Arena. A lot going on in town this weekend. And Miami Valley Sports Car Club of America is racing out at the Port this weekend also.

Parks and Recreation Committee – Chairperson Jaehnig: I do have a nice report from Lori Williams in regards to the Parks. Two weekends ago, the parks had 35 Wilmington College freshman come out to help with mulching out at the wooden playground. They did a beautiful job. They painted up some of the picnic tables. They really were awesome. They spread over two truckloads of mulch during that time period. That same morning, Ryan Williams from the probation group brought out six folks to the park and they painted the fence along Fife Avenue and it looks a whole lot better. This last weekend, a large group from Alkermes, called Alks in Action, were out working in the parks, cleaning up various areas. In fact, you may have seen them downtown cleaning out the pocket park. They were absolutely fantastic. They sanded and painted 30 tables and their electricians helped us upgrade the electric in various ways, including putting timers on the volleyball courts and fixed the front basketball court timers. Hopefully, that will eliminate some of the lighting issues they have been having. They have also been partnering with Friends of the Park and the Clinton County Health Commissioner to prepare a grant application to reinvent the southeast neighborhood park as a terrific neighborhood asset. The grant was submitted just last week and they should hear hopefully later this month whether the grant is awarded to them. They are in the middle of soccer enrollment right now. The season starts the week of September 24, so if you're interested in having your kids participate, you'll want to get them signed up right away. Coming up, the first Saturday in October will be Lytle Creek Day out at the Lytle Creek Preserve. Please come out and join them. I believe it starts at 11 o'clock on that day. That last item I wanted to mention, because I don't think we always think about the impact that parks have on our community. We had a really nice reminder this week. As it turns out, we had a phone call from a woman that was searching for information on a plaque she had heard about online. As it turns out, her husband was killed in a fatal crash in France, almost exactly 40 years ago, which is commemorated on one of the plaques out at the park. She never knew that it existed and was very moved – in fact, moved to tears on the phone. Lori sent her the photos of the plaque and she was very touched. This was all brought about by an article that was done by the Wilmington News Journal about Mr. White, who was honoring his fallen friends by cleaning up the memorial area at the park many years later. She plans on contacting him to show her appreciation. But it is amazing how these little things spread across the states and the globe and the effects that they can have. I thought that was a pretty good story. That's it, Mr. President.

President Pro Tem McKay: So, there are plenty of opportunities to volunteer in Wilmington if you are looking for something to do.

Income and Levy Tax Committee – Chairperson Jaehnig: We had a great committee meeting this afternoon. We continue to have discussions on how we may pursue revenues coming up. New ideas continue to come forward. Not all of them would have

action taken by the Income and Tax Levy Committee, but if we could have a quick discussion and push them to the right committee, then so be it. Thank you.

Service Director - Service Director Reinsmith had no report.

Councilman Wells: I would like to tell Larry that Terry and Jerry Ritenour were very impressed with Harry McVey and the crew that came out there and worked on the drainage problem that they were having. They wanted me to let me know that.

Service Director Reinsmith: Yes. They sent me a letter.

Councilman Wells: That's good.

President Pro Tem McKay: Thank you, Don.

Safety Director – In the absence of Safety Director Russ Burton there was no report.

Reports

A motion was made by Wells and seconded by Stuckert that the Income Tax Report – August 2012, be accepted as presented.

Motion passed.

Reports accepted as presented.

President Pro Tem McKay opened the meeting up to the general public and/or members of council to address council while in session.

Paul Hunter: 200 Randolph Street. This is a brief history of the city streets budget. I'm kind of arguing for my 2 mil property tax that I've been pushing around. In years leading up to 2009, the city's taxpayers were getting street maintenance and repair without costing a dime of their taxes. In 2009, things changed, and nearly \$72,000 taxpayer dollars were transferred to the Streets Fund and in subsequent years this transfer has become a regular budget item. What happened to cause this loss of funds. In 2008, R&L Trucking, a county-located business, decided that they would change their vehicle registration from Ohio to Indiana. The stated reason for this action was because Ohio, by not allowing electronic registrations for commercial vehicles, was causing the company undue hardship. See R&L's statement on that handout. As a result of the company's action, Clinton County's roads and bridges fund lost over a million dollars in annual funding. The city had been improperly receiving the funding for many years. They had been getting \$700,000 out of that, but they shouldn't have been getting it. It appears that R&L's business address had not been changed since the then small firm left Wilmington many years ago. As a result of this oversight, the state had been giving the city a share of the registration fees that should have been going to the county. Note the words "county or municipality" on the DMV chart on the other side of that handout. It's either the city or the municipality where the business is located. Last year, the state legislature included commercial electronic filing in the transportation bill – finally, after a lot of pressure. This is to help R&L and others come back to Ohio – bring the money back to us. You'll see in the last paragraph on that handout when it was passed. The E-File law became effective on July 11 of this year. So far, there is no information on whether or not R&L will return their registration to Ohio. There was always some speculation of why they took it away and it may not have been electronically. We'll never know the answer to that, I guess. Some say it was because of the County Auditor and all of that stuff. Anyway, our State Representative, Cliff Rosenberger, told me recently that he didn't think they were going to bring it back to Ohio, but he didn't have any reason why they weren't. I've asked the DMV to confirm if they either are or they aren't. So far, I haven't gotten an answer. In any event, the city will not benefit if they do, and the previously received 34% share will go to the county. As a result, our streets fund will continue to rely on General Fund money for the proceeds of a \$5 per resident per month tax levy if council is so inclined to propose that. Thank you.

Councilman Wallace: The other thing that really hurt us was about that time, Bush Auto, who at one time was like the largest car renter in the world lost a lot of that too. So, we were licensing a lot of the vehicles around the world at one point.

President Pro Tem McKay asked if anyone else wished to address council while in session.

David Hockaday: Vice Chairman of the Port Authority. I am just wondering whether the ordinances pertinent to the hangar have been moved to committee? The reason I say this is the 45-day clock is ticking. Unless there are going to be emergencies, by the time you do the committee and to through your readings, we may or may not be past that 45 days. Just raising it up, the port still has a lot of work to do. ATSG still has a lot to do. The state still has a lot to do. The ordinances that you have are not real thick. We have a lease agreement for the hangar. It's 117 pages. We have a master lease to look at that's 127 pages. So, if you think you're the only guys looking at ordinances... I just raise the question to bring it up so that we don't run into another snag towards the end.

President Pro Tem McKay: Thank you, David. We don't know anything more about that at this point.

Law Director Brian Shidaker: I think Scott plans at the beginning of next week to move it to committee.

President Pro Tem McKay: Did you hear that?

David Hockaday: No I did not.

President Pro Tem McKay: He feels the president will be moving it to committee at the beginning of the next week, but he will have to verify that.

President Pro Tem McKay asked if anyone else wished to address council while in session.

Councilman Mead: I just have a comment. Back to what Debbie Stamper was talking about – of course she ran off. When something does come to town like the Draft Horse Association or a horse show or one of those things, or even an antique show, retail stores get a lot of extra traffic – not necessarily all dollars – but people come into the stores and they wander around. You get a lot of traffic, and I can verify that it really does matter. When people visit our community, especially for shows and events, retail stores see a significant increase in traffic. Whether they sell to them or not is their problem. I just wanted to confirm that that really does happen.

President Pro Tem McKay asked if anyone else wished to address council while in session.

Seeing no one else who wished to speak, President Pro Tem McKay asked for a motion to adjourn.

A motion was made by Wallace to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk