

Wilmington City Council met on Thursday, November 1, 2012, with President Scott Kirchner presiding.

Call to Order

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

Sgt. Ron Fithen was also present.

President 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, October 18, as received.

Motion passed.

Minutes approved as received.

A motion was made by Wells and seconded by McKay to approve the minutes of the last special meeting, October 22, as received.

Motion passed.

Minutes approved as received.

President Kirchner: That completes my portion of the agenda. Mr. Mayor?

Mayor - Mayor Riley: I have about half a dozen things, I believe, but first of all, just for the record I would like to point out that we responded to help some friends that had a tornado here earlier this year down in Moscow, and what those guys saw was rather shocking to them. Denny, you were there...you helped in Moscow. And it was shocking to everyone who was there. All of the guys who were there. Don, I believe you went down also. What happened on the east coast just puts that so small in comparison. So, our thoughts and prayers really need to be with all of our friends and neighbors on the east coast. Fully a third of the population of the United States has been affected by hurricane Sandy. I ask you all to say a prayer for them tonight, think about them tonight, and I would also ask you to dig into your pockets and make a donation to the American Red Cross to help take care of our neighbors. They may well not be able to do this themselves. They may need a lot of help digging out of this. That's what neighbors are all about. Remember that for the next several weeks, because it's going to take them a long time to dig out of that hole. Pam and Matt if you would like to come up...and Lori.

Pamela Walker-Bauer: Thank you, Mayor and Members of Council, for having us here. Since 2006, the Department of Health has been recognizing communities for outstanding contributions to health regarding policies and developing a healthy environment. Communities are ranked in four different categories including general community, physical activity, nutrition, and tobacco. So, Lori and I submitted an application on behalf of the City of Wilmington and we highlighted a couple of things on those categories. On general community, we discussed the recent community health assessment, coalition building, and some of the activities that Lori and I have been working on together. For physical activity, we talked about the great parks that you have in this community as well as the Rails to Trails Coalition. We talked about Lori's *No Child Left Indoors* program as well as the numerous 5K races. I think this town has more 5K races than anywhere around. Under the nutrition category, we talked about the community gardens, a lot of the work that Wilmington College has done, as well as the Farmer's Markets, the *Grow Food Grow Hope* campaign – that gave us a lot of recognition. Also tobacco use and some of the policies that are in place here, not only at the college but within the city, some of the work that Police Department does as well to make sure that there is no underage tobacco use. Again, Wilmington College, a lot of the

things that they have done need to be highlighted, because they were a big part of the award. So, there were three reasons to really participate in a program like this. One is to promote a healthy community, one is to enhance collaboration with the departments like the Health Department and Parks and Recreation, and another is to earn recognition. When you receive an award like this, you can use this in your campaign. You can say, “Hey, we’re a great place to live. We’re a great place to bring jobs. We have this healthy community.” So, Lori and I are happy to present you all, the City of Wilmington, with a Gold Level City of Wilmington Award. There are three ranks – it’s bronze, silver and gold. So, the first time around, the City of Wilmington has achieved the gold ranking – the first time out. So, we want to congratulate you and present you with this award.

[Applause]

Mayor Riley: This speaks highly of our city and it speaks highly of the dedication of the people from the Health Department, of the Parks Department, everyone who contributes to having a healthy community. This is extraordinary. We will not display this in the mayor’s office. This will be in a common area where everyone who comes in to the city building will be able to see this. So, Denny, figure out some way to put this on the walls so it will stay, because this is going to be downstairs where everyone can see it. Thank you very much.

[Applause]

Mayor Riley: We had another almost-award this week, if you saw in the News Journal today. The Clinton County Chamber of Commerce and Energize Clinton County have been working diligently on economic development projects and getting the word out on what Clinton County is all about. They’ve done a phenomenal job. I won’t get into all of the details because it was very well reported in the paper today. We were one of the three finalists for an Ohio Economic Development Association award and it’s extraordinary that a community of 12,520 people go up against Columbus, Ohio, and some of these other large metropolitan areas – Columbus won. They literally have a staff of economic development people working year-round on these issues. But in Clinton County, we received really good recognition just through the help of our Chamber of Commerce, the folks from Energize Clinton County. It’s just an amazing thing that as small as we are, we still have statewide recognition. We went up there for a dinner on Thursday. Unfortunately, we didn’t get the gold and it almost sounds like a cliché, but at least we were nominated. Well, it’s pretty amazing that we were nominated. I think it’s kudos to this community for that as well. I’m very proud of all of the participants and the Chamber of Commerce, Energize Clinton County, Chris Schock, and all of the folks who put that program together. It was funny because on the way home, we were talking about next year. What can we do next year from an economic development point of view that is so extraordinary that we can submit it to the Ohio Economic Development Association for an award. The guys are determined, we are going to come back with gold next year, so we are going to do that.

Mayor Riley: The last thing I have, Scott, is it is that time of year when people start getting their Christmas cards ready and together. We have a program, in fact in the mayor’s office, the outer office there, there is a red box – a red bin for Christmas cards that will be sent overseas to our service men and women. We are going to encourage people to sign cards. They don’t really even need to have envelopes, because if you put it in an envelope and seal it, the envelopes are going to be opened before they are distributed. But if you have extra Christmas cards or go out and buy a few extra Christmas cards and bring them up to our office. We’re going to be a collection point and we will get those cards to the American Red Cross who will then distribute them throughout the world to our service men. So, write a personal note to one of the service men, bring it up to our office, and we’ll make sure that that gets out. It’s a heck of good way to start the holidays. That’s all I’ve got. Thank you.

President Kirchner: Very good, Mr. Mayor. Thank you.

Auditor - Auditor David Hollingsworth: I just have one item. I’m going to hand out – this is kind of a working copy of the budget request from various departments. It has

taken a lot to compile all of this. But I hand it out now so you will have it in your hands to take a look at before we have a work session. Because there are several pages and it will give you time to come up with questions and/or comments. My suggestion would be that we have – and it's strictly up to council how you want to do this – but I think in respect of everyone's time, if possible, if we have one work session rather than having everyone come in umpteen nights during the week to meet by department is have everyone come in at one time, like maybe we talked on a Saturday morning. That way, anybody from council could ask a question and it won't be restricted to just those committee members. I just think it would save time and a lot of questions so that everybody is on the same page and working on the same thing. I'm not going to make any comments on this other than to explain to you what the columns represent. The very first column is our most recent appropriations. It says budget 2012. That is our original budget plus any transfers or supplementals that you have acted on prior to this meeting. I normally don't pick a mid-month date, but I wanted the information to be as current as possible. I didn't want to use September 30, so the most recent report I had to work with as far as actual goes was everything through October 19. I'm going to update this for the end of October at some point, but I don't know if time will allow me to do that before we have the work session. Then the column that says budget balance, the third column over, that's simply the difference between what we've budgeted and what we've actually spent or collected year-to-date, so it gives you an idea of what's anticipated for the balance for the remainder of the year. Then, I got with Mary Kay, my deputy auditor, and we took a look at items we knew might be different than what was actually appropriated and that's the fourth column over that says estimated 2012 budget balance. So, there might have been some changes – like our benefit insurance. If we thought our salaries were going to be different than what was originally budgeted, we tried to make that as tight as we could to get a good feel for what we think our carryover balance is going to be. The fifth column over says difference. That is the difference between what we think we're going to collect or spend for the remainder of the year and what we have anticipate for the balance of the year, the difference between those amounts. If you want to know where additional revenue or decrease in revenue and the same way with the expenses, you can see where those are out. Then out here in the far right side are the budget requests from the various departments. The only thing that is not on this report, and I thought rather than spend the time right now, there are a small handful of like CDBG funds that really – whatever we get is what we're going to spend, so it has no effect on the General Fund. We will have those completed before you act on the budget, but I didn't include those in this report. That's all I have.

Mayor Riley: I would add, if I might, that as I said almost exactly a year ago, maybe a little less than a year ago, you know the budget we started with is not the budget that we're going to end with. If you look on the expense side, the first page or page and a third are revenues, and then the next three pages are expenses. If you look, we estimated our budget for 2012 was 9.33534 million dollars, and the budget for 2013 is going to be 8.3, so we're reducing the budget by a million dollars. And if you do the match on the balance ending, on September 6 when we had the meeting, council unanimously stated that they wanted to have a 25% carryover. The carryover is 26.3%, so we have done it. We have achieved exactly what you have asked us to do. We've slashed the budget. I would again say, the budget that we start with is not going to be the budget we end with. We don't stop trying to trim the budget, increase the revenues and do everything fiscally responsible that we can possibly do to strengthen the fiscal situation within in the city. My hat is off to all of the city employees. I did not do this. There is no way that one person can make this happen. Every employee of the City of Wilmington is responsible for helping dig us out of this whole. Particularly the supervisors and the superintendents and the directors. I am in awe in what they have been able to do so far. I thank them from the bottom of my heart. We are going to continue next year and we're also going to continue working on economic development. Hopefully we'll get some people in here that will help us make things a little easier for the community. Of course, thank you to David and Mary Kay for all of their yeoman work on this also. But, we did exactly what you asked us to do.

Auditor David Hollingsworth: I tried to give you as much information, like I've always tried to do, and maybe it's a little overwhelming or too much, but we're dealing with a lot of different funds here. There's really no way to...you can only condense it down so

far. But again, this is a working copy. Look at it, compile your questions, and we'll address those when we have the work session.

President Kirchner: David, just for clarity sake, the order of the items under the expenditures matches the current budget legislation we have?

Auditor David Hollingsworth: The only exception is what you are going to act on tonight. I did not change that in the budget – the one supplemental, but I did incorporate that in the column of what we estimate to spend for the rest of the year. I just didn't go back and change the budget.

President Kirchner: Thank you. Very good.

Auditor David Hollingsworth: The other thing, if I might mention, when you look at these funds, so that everything is incorporated underneath the General Fund, when you are looking at the 25%, all of the funds that receive money out of the General Fund through the transfers, I budgeted their cash balances to zero so that everything that is being transferred out of the General Fund really represents expenses for those various funds. The only thing left in those individual funds are the levy monies that cover the expenses.

President Kirchner: One of the things that we need to talk about as a council is when to try and schedule that budget work session. David, I would like to you to understand the length of time you think would be effective to have that meeting, at least the first one. If we need more time, we could have another. Realizing that too long of a meeting gets too long.

Auditor David Hollingsworth: It really depends on how many questions you have. I think if you have plenty of time to look at this and study it and bring the questions, we might be able to get through it. Depending on when you would want to start – I don't know. Four hours? We could try that and if we would need more time, not saying that it would necessarily take four hours – it just depends on the discussion we would be getting into.

President Kirchner: I sent David an email today asking about Saturday the 10th. I have not communicated that out to council until we knew whether or not the key individuals supporting the budget would be able to available.

Auditor David Hollingsworth: I will not be here on that Saturday, the 10th. I'm not sure of Mary Kay's schedule, because I haven't talked to her this afternoon.

[Discussion of Schedules]

President Kirchner: The anticipation was it would end at the latest at noon. It was a morning meeting was the idea. That way, everyone could get on with their day and the weekend. But understanding, then of course, we have important work to do here as well. We'll check with Mary Kay tomorrow and see if that is available. I would ask now kind of a straw poll, is there anybody else on council that would not be available that Saturday, November 10, in the morning, say from 8:00 a.m. to noon. That would be one week from this coming Saturday. Does anyone know of any conflicts for them at this point? If you can keep that morning open, we will check to see if Mary Kay will be available for supporting us from the Auditor's office and answering questions. The other thing that I would encourage is that as you review the information that you now have before you, if you can document questions and perhaps get them to David ahead of that by email, perhaps he can provide some answers to Mary Kay if he needs to ahead of the meeting. Then they would be available. It's exciting work the department heads and the mayor have done and a significant accomplishment, so this is a very excellent effort and I think that it's something that we need to thank all of them for. Because this is hard work and I know it. We appreciate it. Let's hope we can get this thing balanced, get our economy turned around, and get things back up the way they should go.

Mayor Riley: Would it be better to do it the following week on the 17th when David could be here – or possibly David and Mary Kay both could be here to answer specific questions. Would that be...?

President Kirchner: One of my thoughts would be is as we are getting farther into the year and closer to the holidays, I would think if we do reach any questions on the 10th that couldn't be answered, we could have a backup on the 17th for perhaps a shorter session or another session if necessary.

Mayor Riley: I just threw that out there.

President Kirchner: I do agree. But I also understand that he has conflicts that day. So, we'll check and see if Mary Kay is available and if we can have that first session at that time. And if there are unanswered questions, we understand that we can have additional meetings. Anything else, David?

Auditor David Hollingsworth: No. That is all.

President Kirchner: Okay. Thank you very much.

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

Finance Committee - Chairperson Mead: We do have a report this evening, Mr. President. We actually have three separate items on the agenda. The first item I will briefly explain. It is going to be three readings on an ordinance making supplemental appropriations. What that is it has discussed from time to time with the council, you can never really be sure in the Income Tax Department when someone is going to come along and ask for refunds. Because of the economic downturn, there are companies that paid taxes higher than what they would have had to pay because they pay ahead. So, we now have a request for a tax refund. The company is being generous to us, number one, by waiting a year to present it, number two by asking for a third of it this year, and the rest of it in future time. So, this is not the whole thing. This is just one small part. What the tax department is asking for with this refund and some other miscellaneous ones that it has, is an additional \$125,000 to cover those refunds. They have discussed this in committee. We owe this money and there's really no way to change it. It has to be paid. The company has waited a year to year and they have cut it into a third of what they are asking for this time.

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

President asked for discussion.

Seeing none, President called for vote.

Motion passed

Director of Law read ordinance 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 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 Stuckert 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 of Council declared Ord. No. 5061 passed as read.

Councilman Mead: The next item on the agenda – we have been fortunate in the recent past here, our Auditor David Hollingsworth has had contact with his bond and financing consultants and he has approached us at a point about refinancing the general obligations for the city. We have several bonds out there – two, three or four bonds out there – to finance various things such as the city building, road construction, sewer development and other things. There is an opportunity to cut our interest rate in half, roughly speaking. It's kind of like refinancing your house. If you are paying 4% on your house

and someone comes and long and says, “Hey, we can refinance your house for 2%,” you wouldn’t have to think very long if you didn’t see any downside to saying, “Well, yeah, let’s refinance for half the money.” So, basically, that’s what we’re working on. This particular ordinance that I’m going to ask for a vote on is to refinance the city’s general obligations at a new rate. The old rate was in the neighborhood of 4-plus percent, up to 5-something. The new rate is going to be in the neighborhood of 2-plus percent. So, we are going to be on the average cutting it in half.

A motion was made by Mead and seconded by Stuckert to give the first reading only on the ordinance Providing for the Issuance and Sale of Refunding Bonds of the City of Wilmington, Ohio, in the Maximum Aggregate Principal Amount of \$3,870,000, to Refund Bonds of the City Issued in 2003 for the Purpose of Paying the Costs of Certain Permanent Improvements in the City, and Declaring an Emergency.
President asked for discussion.

Councilman Jaehnig: Since you didn’t mention it, Bob, the savings on this particular portion would average out to about \$40,000 per year – and approximately just under \$400,000 over the life.

Councilman Mead: Yes. So that gives a number to hang on for the savings. Thank you.

President Kirchner: The other thing that I think is important to note is it does not in any extend the time of the debt. We will pay the debt off in the same amount of time. We will just pay it off at a lower cost, so this is not extending the period of those bonds, it is just simply refinancing them at a lower rate.

President of council asked for further discussion.

Seeing none, President called for vote.

Motion passed

Director of Law read ordinance 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 ordinance by title only.

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

Director of Law read the ordinance by title only.

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

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

Motion passed.

President of Council declared Ord. No. 5062 passed as read.

Councilman Mead: The last item is a brother or sister to this one that we just passed. The one that we just passed was the general obligation for things like roads, buildings, sewers and so on. The next one is one in one of the enterprise departments, which is the Sewer Department. Because of the cost savings involved and the closeness to having these bonds paid off, we made a decision to pay off the old bonds rather than refinance them. There is an actual dollar savings of a couple of hundred thousand dollars to actually pay these off now rather than to wait for the next so many years until they mature and then pay them off. So, it has been advised by the bond consultants and by Dave that this would be a reasonable thing for us to consider. We have considered it. The funds are available and this ordinance asks that we do just that – we front the money to pay off all of the bonds and basically that’s the end of it. As he reads this, you can pick up the legal language.

A motion was made by Mead and seconded by Stuckert to give the first reading only on the ordinance Providing for the Redemption of the City’s Outstanding First Mortgage Sewerage System Refunding Revenue Bonds and the Defeasance of the Related Indenture of Mortgage and Security Agreement and the Extinguishment and Release of the Related Mortgage, and Declaring an Emergency.
President asked for discussion.

Auditor David Hollingsworth: Bob, did you want me to explain – this also gives us some flexibility – under this indenture, this kind of dates maybe because this was the very first bond issue that I worked on my very first year as City Auditor back in the late 80s that we are now paying off. This is the expansion of the sewer plant out on Nelson Avenue. Under that indenture, we have a debt coverage ratio that we have to maintain. In essence, we have to maintain the profitability within that enterprise fund to make sure we cover the debt plus an additional amount. Once we pay that off, the debt coverage goes away. If we have a shortfall in any one year, the trustee of these bonds can force us to raise rates to make that debt coverage. This takes that restriction off. So, it leaves council with some flexibility if they want to adjust the sewer rates, they now have that flexibility. If they want to reduce them or whatever they choose to do. The other thing that is kind of nice about this is that under that indenture, there were a few funds that were required to be established. There was a replacement fund that has a little over \$300,000. There was also a surplus fund and there were a couple of other funds that were required under the indenture. So, the net cash out of the operating account to pay this million-four in principal off is only going to be a little over \$400,000. The rest of it is going to come out of these other four funds where the money sits right now. Because once the indenture is paid off, those funds are no longer required to exist. Where interest rates are now, with what we are getting on our money, it just makes sense to go ahead and pay these off and not even incur those additional interest costs over the next several years.

Councilman Mead: Thank you, Dave. That gives people a little better idea in dollars again of what we are looking at.

Councilman McKay: It will also allow us to build that fund back up because we will not be having to use those monies to pay the payments. I think the calculation was four or five years at the most we would have that cash back.

President Kirchner: Actually, when you look at what we have to take out of the operating account, I believe it will be back up to that within 18 months.

Councilman McKay: I knew it was a short amount of time.

President Kirchner: Yes. It is very quick. While we are on the topic, I would like to thank the Treasurer, Paul Fear, for doing some great work, I thought, for council on this – looking at the arbitrage situation of paying this off and investing our money or paying this off instead of investing our money, or investing the money and reducing the rate. Paul brought some great information forward that I thought really helped council, and I thank you for all of your work on it, Paul.

Paul Hunter: I would like to mention the idea that the water fees may have to rise and this will give us some leeway in the total utility bills should that occur.

President Kirchner: It was one of the things that I think council discussed at length and David talked about is that it gives flexibility to try to be sure that it will not impact households in a negative way if that does occur.

Auditor David Hollingsworth: I might explain too that under our water debt, we also have a debt coverage requirement. So, this gives us the flexibility of being able to, if we are mandated by the trustee to raise water rates, then we have the flexibility to maybe make an adjustment on the sewer rates to offset that increase. So that is the other thing that it gives us the flexibility to do.

President of Council asked for further discussion.

Seeing none, President called for vote.

Motion passed

Director of Law read ordinance 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 ordinance by title only.

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

Director of Law read the ordinance by title only.

A motion was made by Mead and seconded by Stuckert to pass the ordinance as read.
Roll Call: Mead, yes; McKay, yes; Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Siebenaller, yes.

Motion passed.

President of Council declared Ord. No. 5063 passed as read.

Councilman Mead: That is the last ordinance that I have on the list. I do want to say that this has been a great one. This is something that we have all worked on. Everyone has been involved. I want to thank the mayor for allowing this to happen. I want to especially thank Dave Hollingsworth, our elected Auditor, for beginning the process. He brought it to our attention. I think his bond people may have been helping, but he brought it to our attention. He discussed it with the bond and debt people. He brought them to our meetings. They presented it to us. It sounded good and we did it, so I want to give a big thanks to David Hollingsworth, to Scott Stubbins, Margaret Comey from the consulting firm, and I want to thank the mayor as well for being amicable about the whole thing.

Mayor Riley: And I will pass that back to Harry Jay McVey and all of the folks working at the Sewer Department for making it possible. We had enough money in the enterprise fund to make that happen due to the great way that they operate our sewer system.

Councilman Mead: It's a great thing, I believe. It's a fiscally responsible thing, and it is just another step in the direction of trying to get the budget under control and do anything we can find to bring down the costs of the city. So, with that, thanks again and that is all I have.

Water Committee - Chairperson Wallace had no report.

Streets Committee - Chairperson McKay: No report, Mr. President. We do have a meeting Monday at 5:00. There will be two or three items on that agenda, so everyone who can attend, including the committee, will be welcome.

President Kirchner: And needed, I assume, with the committee. Mike, I know we had talked about a water meeting at some point. Have you had a chance to take a look at a schedule and see about.

Councilman Wallace: Well, when I brought it up last week, we also said maybe we could incorporate what we want to talk about with the bond issues in with the budget committee meeting somehow. So, I'm just trying to sit and wait and see how all of this surfaces first.

President Kirchner: Okay. Very good.

Solid Waste/Recycling - Chairperson Wells: I have nothing on the agenda tonight; however, I did tell the mayor that I was at the landfill this week and saw our new scales in action. I think everything is going to be fine. We will be setting up a Solid Waste Committee meeting soon to work on our rates for the tonnage – our conversion. Also, as I drive around the neighborhoods, I see a lot of blue recycling boxes out. I would like to encourage the citizens that don't recycle who consider recycling to get a box. The holidays are coming up and we need to try to do our very best to keep as many recyclables as possible out of our landfill. It is the right thing to do. Save the landfill. That is all, Mr. President.

Judiciary Committee - Chairperson Stuckert: Mr. President we do have an item tonight. It is an item we introduced at the last council meeting. It has to do with amending Ordinance No. 1167.01 and adding 1167.16 to the signage ordinances.

A motion was made by Stuckert and seconded by Jaehnig to give the second reading only on the ordinance Amending §1167.01(a) of the Codified Ordinances of the City of Wilmington and Adding §1167.16 to the Codified Ordinances of the City of Wilmington Electronic Messaging Center Signs.

President asked for discussion.

Seeing none, President called for vote.
Motion passed
Director of Law read ordinance by title only.

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

Councilman Stuckert: That is all, Mr. President.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Safety Committee - Chairperson Wells had no report.

Downtown Revitalization Committee - Chairperson McKay: I believe that there were a lot of ghouls and goblins in the downtown area over the weekend and our city building took part in the festivities.

Mayor Riley: There was some clown down there passing out candy. It may have looked like me, but it had this great big red nose – bigger and redder than normal. It was fun. We had a lot of kids. We had a great time.

Councilman McKay: That's a great tradition for the downtown. I hope it continues. I know there were numerous parties at various local restaurants. It's just what our downtown is all about. We will be moving into the holiday season soon. Mr. Jaehnig might have something to say about that. That's all I have, Mr. President.

Parks and Recreation Committee – Chairperson Jaehnig: I do have an update from Lori Williams with the Parks Department. They do have a meeting coming up on Monday. Some of these topics if you have an interest, you may want to attend: First of all, they did just end up there soccer season. For those of you who were not aware of it, this was the first season in which participation was paid to pay type of thing. There was very little negative feedback. In fact, many of the coaches felt that they had better turnout for the kids showing up to practice and actually playing, which may have something to do with the actual buy-in at that particular point. We did have more participants this year than last year, which is a great thing. They just started basketball registration. Those games start in January. They will be playing in the elementary gyms again this year. They had a great meeting earlier in the week on the skate park and how to move forward with that. There will be a lot of details discussed in Monday night's meeting, so if you have an interest in that, please come. That is 6 p.m. next Monday. They will also be discussing a new online shelter reservation program as well as the VIP program, Volunteers in the Park. Those will be a few of the things. They have forty volunteers out on make a difference day, this past Saturday. They got a lot done. They've begun significant ball field work now that the last fall tournament is over, thanks in part to Friends of the Park and their funding. The Wilmington Girls on the Move program is in it's 7th week and there are seven girls and four moms plus several volunteers training together for the Friends of the Park Turkey Trot this Thanksgiving. So, it's a great way to get together and work on things. Lots and lots of things going on. They're doing an incredible job. They're looking for volunteers. They're looking for interest. They're looking for ideas, so please come out to the meeting on Monday evening at 6 o'clock. Thank you.

Income and Levy Tax Committee – Chairperson Jaehnig had no report.

Service Director – In the absence of Service Director Reinsmith, there was no report.

Safety Director – Safety Director Russ Burton had no report.

Reports

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

Motion passed.

Reports accepted as presented.

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

President Kirchner: I would like to kick off this section of the meeting with a congratulations to Wilmington High School marching band. This past weekend I had the opportunity to attend the Ohio Music Education Association State Competition. They again received a one for their performance. So, congratulations to them. Lori, I have to say thank you for all of the work you did with Pam and Pam all the work you did with Lori in highlighting, because this award is just an awesome award and we really appreciate everything you guys did to work on that.

Councilman McKay: We have two new people in those departments, and I think their enthusiasm shows. I also am an old band parent and I know what it takes to achieve that at state competition. That represents a lot of work.

President Kirchner: It does. And Mr. Spradlin is just a dedicated, dedicated individual, and those kids work hard. They do. I know you know that. They are looking forward to their trip to Walt Disney coming up here in the next year, I believe. I know I think you chaperoned one of those, as I recall.

Councilman McKay: We did. I think your sister was there.

President Kirchner: She was. We visited. We visited. It's just a great opportunity for the kids, great exercise, great camaraderie and a real celebration of talent in our local area.

President Kirchner asked if anyone else wished to address council while in session.

Councilman Wallace: Mr. President, I would like to make a couple of comments. Just piling on to the band thing; they are awesome. If you went to the games this year, we have the script Ohio, but I like that script W that they did this year. They've added some things. They really are trying. How many years in a row now have we been one in the state.

President Kirchner: I know two because my daughter has been in it for two years. Prior to that, I did not attend the competitions, so I did not know.

[Multiple comments regarding the Wilmington High School band]

Councilman Stuckert: It's a great accomplishment and we have a lot to be proud of with those kids. I also want to mention that it has been pretty good between council meetings, we've had a lot of good positives. I think we ought to mention that we had the meeting with the commissioners on aggregation. As far as the city's part of aggregation, that is moving forward, I trust. And that is going to be savings. That is going to be some significant savings for us. I would like to make a cautionary note here. My wife received a call today from someone that wanted to sign us up for some more of these individual reductions of rates. She knew enough about the aggregation that she said something about "I think we're going toward aggregation." This particular person insisted that you can sign up at anytime. I'm not sure if that is true or not. I think the citizens – we ought to make the citizens aware that we are very close to having the city-wide aggregation available. It's a substantially larger savings than you are going to get on any individual contract. This one today was 7.5 cents per kilowatt hour. I mean...we're looking at possible 5.5 and under.

President Kirchner: Less.

Councilman Stuckert: Less than 5.5. So, I hope our citizens will...I mean, my advice would be I would not be signing any contracts regardless of whether it's a knock on the door or a phone call. The bond thing is excellent. It's a great move. That's savings. The first look at the numbers on the budget are going in the right direction. I feel optimistic about that. So, I think this is a good sign for us moving forward. As the mayor has indicated, maybe we can put a lid on this thing, balance our books out, and then we can just continue to push to bringing new businesses in and that type of thing. I just want to

offer those comments. It's kind of a feel-good time right now, so we might as well feel good. Right?

President Kirchner: I would like, Lora, if we can, say clearly the aggregation process is in full swing and the soonest it can be implemented it will be. People will be notified in the mail of the program. They will not get phone calls. They will receive an opt-out notice, which, if they choose to opt-out, they can. And all indications are we are below 5.5 cents/kilowatt hour. So, any word we can get the citizens to encourage them to use great caution with any offers they are called with or show up in the mailbox, we would love to do it. Because this is a significant savings for every household. We're just excited about the opportunity, so we don't want to see folks miss out on it.

Lora Abernathy: Since this is technically the public session, what is the soonest it can be implemented. Do you have an eta?

President Kirchner: The last time I spoke with Bill Bradish of Palmer Energy, his indication was that he thought we could see savings on our February bills. Now, it requires us to do...we met, as was indicated, the Ad Hoc committee, and I do want to thank the Councilman Mead and Councilman Stuckert, the mayor, and Brenda Woods, our clerk, who moved down there for a meeting to the commissioners. We have apparently chosen a provider. They are working through the details of the contract at the prosecutor's office at the county. I don't know, Brian, have you heard anything over there.

Law Director Brian Shidaker: I have not.

President Kirchner: I do know that it's moving through very quickly – as quickly as they can to get all of the detail nailed down and get this implemented.

Councilman Stuckert: Mr. President, to add on to that. It's a done deal for Wilmington. We passed this in 2003, so we're in. We have aggregation. It's on the ballot for our county folks. I think for those who have not cast their ballot, it would not hurt from my personal viewpoint to urge them that this is a good thing.

Councilman Jaehnig: I agree totally. The important thing is that over two years, the estimated savings is over \$4,000,000 that go right back into our local economy. As Mr. Hunter has pointed out time and time again, that's \$4,000,000 that we're not sending out of this community that doesn't return. That's incredible. The fact that the county is then pursuing this. If they improve that also, we can enlarge the substantially. We have been talking about Buy Local and we've been talking about cycling the dollar and how many times can we spend a dollar in our community. This goes a long ways toward that ability to buy Local and to really drive our own economy by putting money back in people's pockets that was getting sent out of our community. I was at Network Alliance this morning and had a person come up to me and ask me about it. He says, "You wouldn't believe it." I got a phone call this morning from somebody claiming to be with First Energy. They weren't, so I don't want to put First Energy wrong. But they were a broker and they were claiming that your contract was up and you need to renew now. And the person knew that it wasn't up and it wasn't due to be up until August. And thankfully was smart enough to say, "No, that isn't correct." When they pressed the person on it, they found out that they weren't with First Energy; they were a broker that was trying to get groups of people together and get them away from the aggregation. Unfortunately, we have a lot of legitimate and a lot of illegitimate opportunists trying to take advantage of people's confusion about this. The best I can say is be patient.

Councilman Stuckert: I think also since you mentioned Mr. Hunter, we should recognize this is sort of a victory for him because one of the first things he ever came to me to talk about was aggregation. So, he has been talking about this a long time. I don't know what impact he had on the brokers who came to town later and Palmer and them, but he certainly had our ears up waiting and looking for it. It should be a good day for Paul.

Paul Hunter: It is.

Councilman Mead: I join that. Some people don't toot their own horn very much or wave their own flag, but they're back there every week, every week letting you know that there is something you can do if you want to do...whether it's an improvement you can make if you want to. Paul is the guy – Paul Hunter – and I want to wave a flag for him and say thank you.

Paul Hunter: Aw, shucks.

[Laughter]

Councilman Mead: I know we don't always do whatever you want. I know sometimes we all need some gentle persuasion or prodding to keep our lines in a different direction we might be going. So, thanks, Paul.

Paul Hunter: Back at you.

Councilman Jaehnig: I do want to talk about Holidazzle real fast. It is the holiday season. We're getting fired up. The parade and the festival look absolutely phenomenal. We still have some openings for entries. You can fill out an application at hometownholidazzle.com. Everything is online now. It makes everything very, very simple. We also have some sponsor opportunities, so if you can't build a float and you don't want to be in the parade but you want to support us, we had a bunch of letters go out this week, so we do ask for your financial support. We do pull this festival off every year for under \$5000, you know, which is an amazing accomplishment considering everything that goes into it. We are still not quite there, so we could use your support to make sure we have the funds to move down the road. At the same token, we have been running a banner in the parade. The banners are a different prizewinners for the different floats and so forth. It is time to update the banners. One of the banners in the parade is sponsored by Wilmington City Council. There are a lot of names up there that aren't sitting up here any longer, and we really would like to update that banner. For the seven of us to update it, it would be \$35 a piece. So, I am doing a horrible thing and asking you publicly if you would be willing to commit to that \$35 so we can update that banner and get the appropriate names on there.

It's not an EMC is it?

[Laughter]

Councilman Jaehnig: If I could figure out how, I would. And that would be a lot more than \$35.

Unknown: Well, you could change it easy.

President Kirchner: I think that parade is actually the biggest EMC.

Councilman Jaehnig: There you go. Everything is full-bore, full-speed ahead.

Councilman McKay: Just make the check payable to you?

Councilman Jaehnig: No. Please do not make checks payable to me. They can be made directly to Hometown Holidazzle.

President Kirchner: Paul, I know you've gotten up a number of times. It's your turn, buddy.

Paul Hunter: 200 Randolph. This council...I have sat through many of them...this council is tops, I think. Mr. Mead explained those bond issues clearer and in common language that we could all understand. In some years passed, we just blew over them, bang. Nobody knew what was going on. Bob, that is great. One word on aggregation. If you use 1000 kilowatt hours as a baseline, a summer air conditioning, you would have 1000 kilowatt hours. In September a DP&L customer would have paid \$98 for that 1000

hours. Under this aggregation, that comes down to \$50 or \$55 – something in that range. That's huge money monthly. Thanks for the compliment.

President of Council asked if anyone else wished to address council.

Pam Walker-Bauer: Clinton County Health Department. I have Matt Johannes here, who is the Director of Environmental Health for the Clinton County Health Department. He discussed with Mayor Riley whether there were some questions about West Nile Virus and mosquito activities, so I would like to offer Matt up if you have any questions. He's the expert in our department.

Mayor Riley: What were those things called, Pam? Mosquito dunks?

Pam Walker-Bauer: Mosquito dunks.

Mayor Riley: That's what we need to put in stagnant water areas. We will be in touch. West Nile...you guys track these diseases...it's what you do for a living. Keep us posted on what we need to do. I looked up the information on mosquito dunks. Really it's not that much money to protect ourselves and our citizens. I would recommend it. When we get closer to springtime – this winter – we'll need to get some information out – particularly for people who have ponds or they have retention ponds that don't completely empty. Those need to be treated so that we can keep our mosquito larvae killed and down and help protect us. Don, I think you mentioned that.

Councilman Wells: Yes. We talked about retention ponds that are not emptying. They're just stagnant water all summer.

Paul Hunter: The Service Director has the authority under statute to drain those ponds if they present a hazard. It's in the ORC.

Mayor Riley: And it's not really a hazard unless we identify that we have West Nile mosquito larvae. Is it a specific larva or is it a disease they carry?

Matt Johannes: It's based on a specific mosquito species.

Mayor Riley: Matt, I will be picking your brain as we get closer – just recommendations of what we can do and what we can recommend for our citizens to do if they have a puddle of water or pond of water that doesn't drain in their back yard. Maybe it's easier to throw a dunk or two in there when we can get them. I appreciate you being here, Matt.

Councilman Wells: I would just like to say God Speed to my friend Harold Davis who passed away this week – a longtime downtown barber. He cut my hair and my son's hair. He has been around a long time. We're going to miss him.

President of Council asked if anyone else wished to address council.

Sgt. Ron Fithen: Just one thing. Yesterday at 9:00, I received a call from the Secret Service. Normally when the Secret Service calls they give at least two days' notice when they have dignitaries coming to town. They gave me three hours. We had no idea that Ann Romney was coming to town. So, I had to put an operation plan together with Secret Service over that three-hour period. Normally we would call in a lot of resources to do that. With the plan that we put in place with the Police Department we were able to do it. We did not spend any overtime. We were able to do it with three officers and Denny Gherman helped us out quite a bit. So, over that three-hour period, we were able to do the dignitary protection with the Secret Service, with just three people. So, it went really smooth. In the 20 years I've been here, that is probably the smoothest operation I've seen with the Secret Service.

Mayor Riley: You are to be applauded for that as well as Denny. The Fire Department came out to check the occupancy certificate for Sam's Meats where they were at. We had several things going on. My hat's off to Ron and his folks for doing that. Just so you know why it was Ron and not the Chief, the Chief was in Baltimore, right in the middle

of Hurricane Sandy. I communicated with him a few times. He is doing fine. But he was there for some education and training. So, he was up to his eyeballs in floating stuff. But he'll be back; he's doing fine.

Councilman Jaehnig: That's some tough training.

Mayor Riley: He got Hurricane 101 real fast. But Ron, you and the folks did a super job. I had the opportunity to talk to Secret Service while they were there and they were very impressed with you and all of the guys who were out there. So, my hat's off to you. Thank you so much. And Ann Romney says hi to everyone.

[Laughter and banter]

A motion was made by McKay and seconded by Siebenaller to adjourn.
Motion passed.
Council adjourned.

ATTEST:

President of Council

Clerk