

Wilmington City Council met in regular session on Thursday, July 18, 2013, with President Pro Tem Mark McKay presiding.

Call to Order

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

Chief Weyand was also present.

A motion was made by Jaehnig and seconded by Mead to excuse the absent member (Wallace).

Motion passed.

Absent member excused.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

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

President Pro Tem of Council -

A motion was made by Wells and seconded by Stuckert to approve the minutes of the last regular meeting, July 3, as presented.

Motion passed.

Minutes approved as presented.

President Pro Tem McKay introduced Bob Stallman and Sherry Bannister from DPL Energy Resources.

Bob Stallman, DPL Energy Resources, We are a non-regulated affiliate of Dayton Power & Light, a competitive retail electric supplier and provide generation service, electric supply service based on market pricing rather than the regulated pricing that the utility does. Also provide services for many local governments in the DP&L service area, specifically street lighting. Miami Valley Lighting is a subsidiary they provide outdoor street lighting services for many of the local governments in the territory.

Bob Stallman introduced Sherry Bannister, a business analyst, specifically working on municipal aggregation. He said JD Power & Associates just recognized DPL Energy as receiving the highest customer satisfaction in the state of Ohio as it relates to suppliers in the residential class.

Bob Stallman presented a power point. He provided an organizational chart of the Aggregation Team. He gave background on the aggregation process: Palmer Energy, who is a consultant for Clinton County, released the government aggregation RFP in September 2012. They provided response for three types of services – Government aggregation, generation supply for government facilities, and outdoor lighting. DPL Energy entered into a governmental aggregation agreement with Clinton County Commissioners and a generation supply/street lighting agreement with the City of Wilmington in November 2012. The estimated savings residents enrolled in the aggregation program from the start in February through June 2013 was \$482,000. The average customer has saved approximately \$175 since the program started. The aggregation rate is \$0.0529/kWh as compared to the regular DP&L rate of \$0.0930/kWh. He presented enrollment statistics. Out of 3,205 eligible customers, 2,750 customers enrolled in the aggregation program. He went on to say that on a quarterly basis they will be implementing a smaller-scale opt-out aggregation program in order to bring value to those customers who may not have had the opportunity to opt-in during the initial enrollment. Beginning late July, they will be sending out letters to only those new eligible accounts they receive from the utility. That will be approximately 450 customers. The new web portal simplifies the new opt-in member enrollment process and they hope it will be more convenient.

Bob Stallman - The generation supply agreement for government facilities includes 62 accounts. The discount has offered \$35,137 in savings from January through June 2013. Those savings will continue through January 31, 2015. In terms of the street lighting component, Miami Valley Lighting provides street lighting services to the City of Wilmington of about 850-900 lights. The monthly street-lighting charge was a little over \$14,000. Through this program, DPL Energy gave nearly a 20% discount, bringing the monthly charge down to \$11,796 dollars. The savings to date are around \$23,000. Throughout the entire agreement, we are looking at around \$78,000. The programs have brought value to the city. He asked for questions.

Paul Hunter asked what the rate was for the city before the aggregation. Bob Stallman answered that there was originally about a 15% discount, or about 6.58. Through this program, it was moved to 5.29.

Mayor Riley – I appreciate all of the work that have done on this. I found out today that there are about four or five residents who are having some problems getting their bills right.

Bob Stallman said he would meet with them as soon as he was finished and help them get it straightened out. He said there are some issues with the lists that they receive from the utility and it has caused problems. He said he would help them get enrolled.

Councilman Stuckert asked if the street lighting is separate from the government account savings. Bob Stallman answered that street lighting is a separate service, so it is not included in the electric or generation supply for the government facilities.

Mayor Riley – David Hollingsworth mentioned that we do a street lighting assessment on all our citizens each year, with this decrease we may be able to lower that assessment a little bit next year to give the citizens another break on what they pay.

[Discussion of aggregation]

Councilman Jaehnig said that he still gets many offers from other companies. Bob Stallman said there is no guarantee that other suppliers will not contact citizens, but once they figure out you are under an aggregation program, they tend to go away.

Councilman Jaehnig asked if there was some way to protect the customers from switching out of the city aggregation program.

Bob Stallman said they would get a letter from DP&L that asks them to make sure they want to switch.

Sherry Bannister added that they have a Save the Sale campaign. Bob Stallman explained that when possible they call customers to make sure they want to change.

[Discussion of other electric offers]

Bob Stallman thanked council for their time.

Mayor - Mayor Riley – Introduced Chris Schock and the Community Fellows.

Chris Schock – Thanked the city, on behalf of the Planning Commission and Energy Clinton County, for their continued support of programs and efforts. Just this past week they received word from the International Economic Development Council. This is from the conference's coordinator in Washington, D.C.

*I'd really love to invite you to showcase your community that is doing something truly unique and innovative at our national conference this year. I would like to discuss the work of the planning commission and Energize Clinton County and talk about the results that have been realized to date. But what is actually more important than the results here is the*

*overall shift in thinking that your programs represent. The people who attend our conference hear a lot about business attraction and site selection in propriety of industries, but we would like them to walk away with some new ideas that impart upon them a new way and a new paradigm to do economic development and a new approach to it.*

So, the fellows is just one of the programs that fit within that new paradigm and that new approach. He introduced Taylor Stuckert to talk about the program.

Taylor Stuckert – Thanks for having us again. This our 4<sup>th</sup> year doing the program. By the end of this year, we will have 17 fellows through the program who have worked with almost 50 matches. They are paired with businesses or organizations in the community. They spend ten weeks with them working on a variety of different projects that help those businesses or organizations with different things they are trying to achieve for themselves. It gives them an opportunity to gain professional experience between years in college or right after college that is diverse and in many cases different from what they learned in school. We have three of the five here tonight:

Brooke Beam – A 2008 graduate from East Clinton High School. Attending second year in master's program at Ohio State, focusing on agriculture communications. Working with the Murphy Theatre, That Guy's Family Farm and the Clinton County Farmer's Market.

Madison Law - Graduated from Wilmington High School in 2011. Attends Wittenberg University in Springfield and is a Junior there. Working at Clinton Memorial Hospital and Cape May Retirement Village, doing market research and employee recruitment.

Dawitt Habtemariam., a junior at Haverford College. Working with the Champion Bridge Company, the Murphy Theatre, and the new coffee shop that is opening up in August, Kava Haus.

Taylor Stuckert – The other two that couldn't be here were Zach McCune, working with Camp Joy and Orion Inc., helping them through the privatization process; and Bria Eslick, who is from the Cleveland area but attended Wilmington College and just graduated this past year. She is working at EMSAR and is working with the Quaker Byway program. By the end of this year, I think the Fellows will have contributed about 7000 hours to the community over the four years. It has been a good program. We had them up in Columbus a week or two ago with Representative Rosenberger. He put them in front of the Board of Regents. We talked about the program, and the board was so pleased with it that they actually followed up with us and asked us to share our results over the last few years and some of the basics about the program so they could highlight it across the state.

Mayor Riley thanked Chris and Taylor for their work with the Fellows Program.

Taylor Stuckert - August 15 is the final presentation. It will be held in the Community Room. Invitations will be sent out.

Mayor Riley announced that it was the 95<sup>th</sup> anniversary for the Murphy Theatre and introduced Murphy Board President Leslie Keller.

Leslie Keller introduced Murphy board members and employees to council. She announced a celebration of the Murphy Theatre 95<sup>th</sup> Anniversary on Wednesday, July 24. They will have free ice cream and free tours. She said she felt lucky and blessed to be part of the Murphy Theatre.

Mayor Riley agreed that the theatre was something to brag about to visitors.

[Discussion of the Murphy theatre history, with people sharing their personal experiences at the Murphy]

Councilman Jaehnig mentioned that they are in the middle of a funding drive.

Mayor Riley presented a proclamation.

*WHEREAS, In 1916, Charles Webb Murphy, a Wilmington native and successful businessman, hired the A.P. Eveland Construction Company of Cincinnati to begin construction of a theatre. When told by a colleague that this size theatre in a small town was a bad investment, Charlie acknowledged, "It's not just an investment; it's going to be a monument;" and*

*WHEREAS, the Murphy Theatre celebrated its opening night on July 24, 1918, to sold-out crowds, and for the last 95 years has been a center of Arts, Entertainment and Civic Engagement for the Wilmington Community; and*

*WHEREAS, the Murphy Theatre staged live shows, vaudeville, lectures, minstrel shows, and stage plays before becoming primarily a movie house in the 1940s. The stage of the Murphy has been graced by such performers as Mickey Rooney, Rosemary Clooney, Tom Jones, Debbie Reynolds, Marty Robbins, Rick Nelson, and the Oak Ridge Boys; and*

*WHEREAS, The Wilmington Community acquired the theatre in 1987 and it is now used as a community center, honoring and upholding its historic heritage by continuing to provide quality arts and entertainment programming for its patrons.*

*NOW, THEREFORE, I, Randy Riley, Mayor of the City of Wilmington, Ohio, do hereby invite all citizen of Wilmington to join with me in the celebration of the The Murphy Theatre 95<sup>th</sup> Anniversary*

Mayor Riley introduced Debbie Stamper from the Clinton County Convention and Visitors Bureau.

Debbie Stamper introduced Paul Williams from the Sports Car Club of America. She said that have been working on putting together an event with him for three and a half years.

Paul Williams – The SCCA consists of 54,000 members who are passionate about auto racing. They drive around cones in a big parking lot. He said Kevin Carver allowed them to use the Air Park on a trial basis in the past and now they are hosting a national event on August 2, 3, and 4, with 300 drivers coming in. Also, the week prior will be a regional event on August 27 and 28. There is no charge for admission and local people can participate in the regional event.

Mayor Riley said it was fun to open our doors and invite people. It allows us to show off our community.

Paul Williams said that Wilmington is the nicest site east of the Mississippi. He said their website is [www.cincyscca.com](http://www.cincyscca.com). They close gates at 7:00 on August 2, 3, and 4. It starts at 7 o'clock in the morning. This solo is the beginning group of the road racing and they are all amateurs. This is the beginning of a road racing career.

Mayor Riley thanked Debbie Stamper and Rob Jaehnig for making the event happen.

[Discussion of road racing]

Auditor - Auditor David Hollingsworth had no report.

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

Finance Committee - Chairperson Mead introduced legislation making supplemental appropriations – Transfer to parks \$13,150. Lori Williams pared down her list twice and this is the absolute minimum she needs to get done what she needs to get done this year at the parks. This is not everything they would like to have, it is just a small amount that we are going to vote on this evening. I told her in the meeting that we are treating it as a one-time thing this evening. It doesn't necessarily mean that something else is going to happen. We will have to approach it again in the fall when we go into budget time. The second item is from the General Fund to civil service incidentals \$5000 in order to test and put on a couple of new police officers. We've lost a couple for various reasons. These are replacements for ones that are already in the budget.

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

President Pro Tem called for vote.

Motion passed. All yeas.

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; 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; Mead, yes; Siebenaller, yes; McKay, yes; Jaehnig, yes.

Motion passed. All yeas.

President Pro Tem of Council declared Ord. No. 5096 passed as read.

Councilman Mead introduced an ordinance making miscellaneous transfers – transferring in the police fund from fuel to vehicle maintenance the sum of \$7000.

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

President Pro Tem called for vote.

Motion passed. All yeas.

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; Mead, yes; Siebenaller, 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 Stuckert to pass the ordinance as read.

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

Motion passed. All yeas.

President Pro Tem of Council declared Ord. No. 5097 passed as read.

Councilman Mead introduced legislation making a supplemental appropriation from the General Fund to motor vehicles in order to purchase two new cruisers. This is additional money from the General Fund and should be treated as such.

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.

Councilman Jaehnig – I was wondering why this never went through committee.

Councilman Mead – It was in committee once and it got stopped before it got to council because they didn't have the certificate approved. We have been through that much of the process, so they just put in at the next council meeting. It didn't come at the last one.

Councilman Siebenaller – The budget commission had to amend the certificate prior to us being able to take action, so we had to wait on that.

Councilman Jaehnig – I didn't remember the official discussion at finance, but I missed a few...

Councilman Mead – It had been through there once and almost got here, but we got stopped at the last minute.

President Pro Tem asked for further 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 Stuckert to suspend the rules and give the second and third reading on the ordinance by title only.

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

Motion passed. All yeas.

President Pro Tem of Council declared Ord. No. 5098 passed as read.

Water Committee - In the absence of Chairperson Wallace, Councilman Wells had no report.

Streets Committee - Chairperson McKay had no report.

Solid Waste/Recycling - Chairperson Wells had no report.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Judiciary Committee - Chairperson Siebenaller introduced the third reading of the ordinance regarding riding bicycles on the sidewalks.

A motion was made by Siebenaller and seconded by Stuckert to give the third reading only on the ordinance Amending §373.11, Riding on Sidewalks, of Chapter 373, Bicycles, Motorcycles and Skateboards, of the Codified Ordinances of the City of Wilmington.

President Pro Tem asked for discussion.

Seeing none, President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

President Pro Tem called for vote.

Motion passed. All yeas.

President of Council declared Ord. No. 5099 passed as read.

Councilman Siebenaller thanked Chris Schock for his work on the ordinance. He said there were many items in the judiciary pipeline and he was looking at a meeting tentatively on August 1.

Safety Committee - Chairperson Wells introduced legislation allowing retiring Police Officer Robert Houghton to retain his service weapon and badge.

A motion was made by Wells and seconded by Mead to give the first reading only on a resolution Regarding a Retiring Officer's Service Weapon and Badge, Providing for Release of Claims, and Honoring Said Officer with the Presentation of the Same, and Declaring an Emergency.

President Pro Tem called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

A motion was made by Wells 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; Mead, yes; Siebenaller, yes.

Director of Law read the resolution by title only.

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

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

Motion passed. All yeas.

President Pro Tem of Council declared Res. No. 2329 passed as read.

Downtown Revitalization Committee - Chairperson McKay we've talked about the downtown a lot tonight. Things are going well. I think most of you have noticed that there is going to be a new restaurant opening soon – in August. Steve Stovall is the owner – a professor at the college. It looks like it is going to be fun and I think we'll all enjoy giving it a try.

Mayor Riley – The Farmer's Market has been testing the limit of farmers markets and they're actually looking at doing some more things. They're looking at doing something with tractors like we do at the third Friday parties with cars.

Councilman McKay announced that it was Third Friday party downtown this week.

[Discussion of street closures and traffic patterns]

Parks and Recreation Committee – Chairperson Jaehnig thanked council for the movement of funds to the parks. Just as clarification to what Councilman Mead had to say, the reduction in the funds request had to do with the time of the year and the availability to actually accomplish the projects. So, reducing the funding request is because at this point in the year, those are the projects they can actually complete. It doesn't mean the other projects that needed to be done went away or had been solved, they just could not be completed this year, and that is why the reduction in the request.

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

Service Director - Service Director Reinsmith had no report.

Safety Director – Safety Director Russ Burton had no report.

### Reports

A motion was made by Mead and seconded by Stuckert that the Auditor-Treasurer's Report – June 2013, and the Treasurer's Office Statement of Earned Interest – 1<sup>st</sup> Six Months 2013, 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.

Lee Curtis – 1004 Southridge Ave. said the city needed to do a better job enforcing the cutting of yards and mowing. He mowed someone's lawn over on Cambo Place in order to allow access to some trees that needed to be cut down for safety issues and someone called law enforcement on him.

Mayor Riley explained that it was a long process to have the city mow a lawn. We can't start the process until it is 10 inches and then we have to give notice and wait for a response. About a month ago, we had over 70 that needed to be mowed and the city lacks the manpower to take care of them all. He said he appreciated Mr. Curtis' gesture to cut the lawn himself. He said it really helps when people work together and do that.

[Discussion of mowing]

Paul Hunter – Since the News Journal doesn’t publish comments like they used to, I’ve started a blog to express my opinions and post newsworthy items. Underground Wilmington on Google.

Mayor Riley – I called John Schum today to thank him as he has been watering flowers and washing windows downtown. He has been an excellent neighbor for downtown Wilmington. I want to thank him publicly. Bless your heart, John. Thank you for that.

[Applause]

John Schum – For those of us who work downtown, we spend more time here than we do at home. So, this is how we live.

Mayor Riley – I so appreciate what you do. If everybody who worked downtown had half the interest that you do, this downtown would sparkle all of the time.

Mayor Riley announced that the bridge on South Street by Masons Car Wash is currently closed for construction. It should be five or six weeks. There have been problems with readability of the detour signage, so semis have been continuing to try to go through the construction zone. He has spoken to ODOT about it and they are working on fixing the situation. The city will be doing focus enforcement in Southridge of speeders, of heavy traffic, of people not stopping at stop signs and all of that other stuff. We will be watching that area very closely. Just be careful and remember it’s right there by Masons.

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 Jaehnig to adjourn.  
President Pro Tem McKay declared the meeting adjourned.  
Council adjourned.

ATTEST:

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President of Council

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Clerk