

Wilmington City Council met in regular session on Thursday, December 18, 2014, at 7:30 p.m. with President Cindy Peterson presiding.

Call to Order

Roll Call: Jaehnig, present; Spicer, present; Stuckert, present; Mead, present; Miller, present; Milburn, present; McKay, present.

Chief Weyand was also present.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

Moment of silence observed

President of Council

President Peterson – An updated meeting schedule is in your packet. There is a Special Council meeting on December 29 at 5:30 p.m.

A motion was made by Stuckert and seconded by Mead to approve the minutes of the last regular meeting, December 4, as presented.

Motion passed.

Minutes approved as presented.

President Peterson presented a Notice to Legislative Authority from the Ohio Division of Liquor Control for a New Permit for wine and mixed beverages in sealed containers at 863 South Ridge Inc. dba Quality Food Market 7, 863 S. South Street, Wilmington, OH.

Mayor - Mayor Riley – The annual Police Department's Christmas Party is being held this evening. Bill Peelle is the speaker this year. They awarded the Crime Fighter of the Year award to James Smithson. Scott Baker received the Officer of the Year award.

Mayor Riley introduced a presentation on a fiber-optic project for the city and county. Miami Valley Education Computer Association (MVECA) is involved in this project.

Thor Sage from MVECA - We have provided IT shared services to schools in Clinton County for over 30 years. We are the internet provider for schools. We are the one responsible for making sure that your schools throughout the county have the most robust internet connections possible, have what they need in order to accomplish the online testing that has been such a predominant part of the educational discussion today. We try to make sure that all the schools in our six-county region have exactly what they need in the way of technology resources. With me tonight is Jeff Gamrath from Ice Miller Whiteboard. They are helping us find a way to leverage Local Government Innovation Fund dollars in order to help schools and local governments and municipalities of all kinds develop fiber-optic infrastructure. We have begun an initiative to attempt to leverage Local Government Innovation Fund dollars from the Department of Development to help Clinton County and Wilmington specifically develop a fiber-optic infrastructure that will help you modernize your technology programs and your IT infrastructure. MVECA is a nonprofit regional council of governments. We are out to help schools. In order to do a better job helping schools and help subsidize what we do, about three years ago we started a non K-12 offering. We believe we have a very valuable shared service delivery system that governments throughout Ohio have never had an opportunity to take advantage of. Schools have pretty robust technology programs; local governments don't necessarily have such robust programs. We knew that if we went out and engaged local governments that they could take advantage of non-profit shared services and we could, in turn, provide more services to a larger base of consumers, that is getting discounts and spreading our cost over a larger number of public entities and therefore saving everyone money. The schools save money and avoid fee increases. Municipalities save money buying from a non-profit that essentially used a consortium buying model.

Thor Sage presented a PowerPoint presentation on fiber-optic infrastructure.

Thor Sage - Once you own the fiber-optic infrastructure, there are many things that you can do. One municipality that I take care of in Greene County shares fiber-optic infrastructure with the school district. They provide service across that fiber-optic infrastructure to a business partner in order to maintain a good relationship with a business. What I'm looking for is a confirmation of support in the form of a memorandum of understanding indicating that you support our attempt to access the Local Government Innovation Funds and build proposals that you would then evaluate on their own merits in the future. There is no financial liability. No binding agreements. You simply need to pass a motion saying that you support MVECA's LGIF application as a collaborative partner that would allow me to win the dollars, do planning, and then bring proposals to the city so that you can evaluate them on their merits without any application to consume any service at that time.

[Discussion of the grant process]

President Peterson asked if this was a matter that needed to be run through Judiciary. Councilman Jaehnig indicated that he did not think it was necessary.

Councilman Jaehnig asked if the concept had been presented to the schools and to the county. Thor Sage answered that it had and he believed the county intended to enter into the Memorandum of Understanding on Monday.

Thor Sage – The Wilmington City Schools are basically an owner-operator of MVECA. We are owned and operated by the school districts that we serve. They always support their regional council of governments because they are a consumer of our service and they know that they benefit directly if we are successful in expanding out base of client organizations.

Mayor Riley – The presentation was well-received by the County Commissioners. The future is technology and this is technology that we need. I am in support of signing a memorandum of understanding to start moving this forward.

Thor Sage – The memorandum of understanding clearly states there is no financial liability whatsoever.

Councilman Jaehnig – Basically, without the memorandum of understanding, we can't play the game.

Thor Sage – We can still help the city very effectively even if we don't get the interest-free loan dollars. But wouldn't it be nice to be able to spread your costs out for no additional charge over a ten-year period of time.

Councilman Jaehnig – Everyone is a little gun-shy about costs right now as we are in the middle of trying to pass a budget. Personally, I would like to give the rest of council the opportunity to look at the material. If it is okay with the Finance Team, I would like to bring it back on December 29 for a motion.

Paul Hunter – Have you contacted the Port Authority? I know they are interested in fiber optic.

Thor – Yes. Actually the Port Authority was a very enthusiastic proponent of our initiative and they actually passed a motion after our initial meeting right away without any hesitation.

Paul Hunter – I think they have fiber optic laid out there already.

Thor – They do. What they lack is publicly owned connectivity to the outside beyond the airfield. The Port Authority is a collaborative partner on this project – Wilmington City

Schools, The Port Authority, hopefully the City of Wilmington, Clinton County, and MVECA.

Councilwoman Miller indicated she would like to see the Memorandum of Understanding prior to taking action. Clerk Brenda Woods said she would email it to the councilmembers.

Jeff Gamrath – Ice Miller – We’ve done a lot of these, and they are really good. It is always multiple entities working together. Once these networks get engineered and designed, we always have to worry about which private entity is going to manage that and supply services over it. This is the first one we have been able to do with an IT seed like MVECA. This is a significant change and a real opportunity for the local governments to get services from a non-profit entity instead of having to go through an RF buy process potentially with private partners to come in and manage it, although that is something you can still do. The flexibility is more than normal.

Auditor - Auditor David Hollingsworth had no report.

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

Water Committee - Chairperson McKay had no report.

Streets Committee - Chairperson McKay had no report.

Solid Waste/Recycling - Chairperson Jaehnig had no report.

Wastewater/Sewer Committee - Chairperson Milburn had no report.

Judiciary Committee - Chairperson Jaehnig introduced the third and final reading on a resolution authorizing an agreement with Ahresty Wilmington Corporation for a Enterprise Zone Agreement.

A motion was made by Jaehnig and seconded by Milburn to give the third reading only on A Resolution Authorizing an Agreement with the Ahresty Wilmington Corporation Providing for a Project and Tax Exemption Pursuant to the State Enterprise Zone Program, and Making Determinations in Connection Therewith; Repealing All Prior Conflicting Ordinances, and Declaring an Emergency.

President called for vote.

Motion passed. All yeas.

Director of Law read resolution by title only.

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

Roll call: Jaehnig, yes; Spicer, yes; Stuckert, yes; Mead, yes; Miller yes; Milburn, yes; McKay, yes.

Motion passed.

President of Council declared Res. No. 2391 passed as read.

Safety Committee - Chairperson Spicer had no report.

Finance Committee - Chairperson Miller presented legislation making supplemental appropriations.

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

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Jaehnig, yes; Spicer, yes; Stuckert, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes.

Director of Law read the ordinance by title only.

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

Roll call: Spicer, yes; Stuckert, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes.

Motion passed.

President of Council declared Ord. No. 5197 passed as read.

Councilwoman Miller introduced legislation making miscellaneous transfers.

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

President called for vote.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Roll call: Stuckert, yes; Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Director of Law read the ordinance by title only.

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

Roll call: Mead, yes; Miller, yes; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes.

Motion passed.

President of Council declared Ord. No. 5198 passed as read.

Councilwoman Miller introduced the second reading on the budget ordinance.

A motion was made by Miller and seconded by McKay to give the second reading only on the ordinance Making Appropriations for the Current Expenses and Other Expenses and Other Expenditures of the City of Wilmington, Ohio During the Fiscal Year Ending December 31, 2015.

President called for a roll call vote.

Roll call: Miller, no; Milburn, yes; McKay, yes; Jaehnig, yes; Spicer, yes; Stuckert, no; Mead, no.

Motion passed. All yeas.

Director of Law read ordinance by title only.

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

Cemetery Committee – Chairman Bob Mead had no report.

Mayor Riley – They have taken some trees down at the cemetery. We had talked about early January for the transfer. The Cemetery Committee has to advertise to all of the association members, so they will do that approximately three weeks in a row. That may well take this into February.

Downtown Revitalization Committee – Convener McKay had no report.

Parks and Recreation Committee – Convener Stuckert said the half pipe at the park is something interesting to see.

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

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

#### Reports

A motion was made by Jaehnig and seconded by Miller that the Auditor-Treasurer Report – November 2014, be accepted as presented.

Motion passed.

Reports accepted as presented.

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

Paul Hunter – 200 Randolph Street – Information from ODOT indicates that the Wilmington will not receive much street repair help over the next few years from the state. When we do get that help, it requires some matching dollars. The 2018 is a half a million that they want us to match. We have to get prepared that this is coming. Our

streets are not getting any better. They were supposed to repair my street because they used it as a detour for the bridge. They decided that it was so bad to start with and there was no change, so they were not obligated to fix it. On an unrelated issue, the cost to the city for a levy issue is under \$200, and the cutoff date is February 4. It could be on the primary for a two-mil street levy.

Mayor Riley – We have been talking with ODOT on State Route 730/Truesdell, and Truesdell would be from Mulberry to the City limits out on Nelson. They have that on their agenda for 2016. That is the only one they are talking to us about right now. There would be a 20% support from the city on that.

Councilman Mead –I have heard quite a few rumors floating around regarding Jen’s Deli uptown and regarding Jen being evicted. There are some problems going on with the building itself, but Jen is not being evicted. She has been there almost 20 years and is surviving. For downtown revitalization, we need to support this business whenever we can and offer her moral and spiritual support.

Councilwoman Miller – I was there having a breakfast sandwich on Saturday with a good friend of mine. He walked in and his jaw dropped because he didn’t even know Jen’s Deli existed in the downtown. Make the referral if you care about small businesses.

Mayor Riley –If you hear rumors, please don’t hesitate to call the mayor’s office. We will make the phone calls and track down what is going on.

Paul Hunter said a letter had been sent out from DP&L regarding the aggregation. Mayor Riley explained that a letter also came out from AEP. You don’t need to do anything in order to stay with the electric aggregation program.

[Discussion of aggregation]

John Schum – I would agree with Councilwoman Miller that people don’t know about what is in the downtown. I frequently hear from people who don’t know my shop is there, even with the big stained glass awning out front. The only time they really notice it is if they get stuck in traffic and they’re looking around for something to do. I don’t know what the fix is for that, but there is a sense that downtown isn’t the place to go shopping like it was when we were kids. I don’t know what the fix is for that. The impression is you will not find what you need. People will go to the malls and walk a quarter of a mile to get to the shops, but they won’t walk around the corner in town here. The impression is that there is no parking. I know that’s not true. I think on the light poles they should have a free parking sign so they know where to go.

Paul Hunter – We should be encouraging our state legislators to do a sales tax on e-merchandise. Right now local merchants have to pay sales tax.

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

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

A motion was made by Jaehnig and seconded by Miller to adjourn.  
President declared the meeting adjourned.  
Council adjourned.

ATTEST:

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President of Council

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Clerk