

Wilmington City Council met in regular session on Thursday, February 7, 2013, with President Scott Kirchner presiding.

Call to Order

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

Chief Weyand was also present.

Pledge of Allegiance

Council gave the Pledge of Allegiance to the flag.

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

President of Council

A motion was made by Wells and seconded by McKay to approve the minutes of the special meeting, December 31, 2012, as presented.

Motion passed.

Minutes approved as presented.

A motion was made by Wells and seconded by Wallace to approve the minutes of the regular meeting, January 3, 2013, as presented.

Motion passed.

Minutes approved as presented.

A motion was made by Wells and seconded by Stuckert to approve the minutes of the regular meeting, January 17, 2013, as presented.

Motion passed.

Minutes approved as presented.

President Kirchner introduced Debbie Stamper of the Clinton County Convention and Visitor's Bureau for presentation of the 2013 Budget and Marketing Plan.

Debbie Stamper greeted council and said that it was her 14<sup>th</sup> year presenting the budget to council. She thanked members of her board that were there to support her. She handed out the 2012 Annual Report, the Marketing Plan and Budget and a printout of her presentation for the evening. She explained that the 2012 Annual report showed the accomplishments of the CCCVB in 2012 and the Marketing Plan and Budget gave a detailed report. Ms. Stamper explained that the CCCVB had been in operation for 15 years and they were an independent not-for-profit with a board of trustees. She said when originally established, the city gave a mission to the bureau, which she read aloud: "The mission for city council was to promote and publicize the City of Wilmington, bring patronage to Wilmington businesses, promote our heritage and attractions, and contribute to the quality of life in Wilmington." She said the mission goes on to say "The city council finds that there is a need to encourage and promote through advertisements and other educational and informational needs, travel to and visits in the City of Wilmington for pleasure, business and other purposes and that fulfilling that need will be beneficial to the entire hotel, motel and lodging industry throughout the city." She explained that the mission from the city and the mission from the county were incorporated into the CCCVB mission and that sets the precedent for what they do. She said the one source of revenue for the CCCVB was the lodging tax, which is collected from guests in the hotels and that money is passed through the city or the county. She said when it comes into the city, there is a 10% administrative fee that is taken right off the top. She said she looked back for a couple of years and it has averaged about \$10,000 in each of the last two years. She said that the Convention and Visitors Bureaus are legislated by the Ohio Revised Code and there are 94 bureaus in the State of Ohio. The lodging tax is spent by the bureau on marketing. She said if the staff is doing their job correctly, they should be bringing more people into the community that are staying in the hotels, more lodging tax is generated, which then filters back to the CCCVB, which

allows them to spend more money on marketing. She said it is a cycle and it should continue to grow and mentioned that when DHL left, many business travelers went away. She said they had been working very hard to increase hotel patronage. She said the hotels are the number-one stakeholder and they have invested a lot of money in the community. She said they have built their businesses here, have generated jobs, they collect and pass the lodging tax. She said with investment comes accountability. The hotels want to see a positive return on investment and that is where the CCCVB comes in. Ms. Stamper said that the return on investment is as follows: for every dollar they spend, 2.5 people visit the community. \$333 is returned as visitor spending, \$13.55 is generated in local tax revenue, and overall 680,000-plus people visit the county. She explained that Cowan Lake generates half a million people each year. She said \$20.5 million was spent on tourism wages, which equates to 851 jobs in the tourism industry. She said the Visitors Bureau spent 51% on marketing, 34% on administration, and 15% on operations. She said the main groups bringing guests into the community are the East Coast Timing Association, Roberts Arena, Roberts Centre and Eukanuba Hall at the Roberts Centre, Cowan Lake, Wilmington College, and the Southern Ohio Indoor Music Festival. She said the marketing plan for the current year will not change that much. Strategies include increasing hotel occupancy, by focusing on the large groups; taking the money to expand and enhance the marketing efforts; and continuing to sell Wilmington as a sports and meeting venue. She said she goes to trade shows and they solicit all of the different groups that hold meetings and conventions. She said the only changes in the 2013 budget were minor and based on inflationary reasons. Ms. Stamper finished by saying that tourism dollars that are spent in the county and the city rely on the CCCVB to grow the lodging tax, which is only done by focusing on the large groups. She said reinvestment of the hotel and lodging tax into marketing is the only thing that will increase the ROI; nothing else will do that.

President Kirchner introduced the new community liaison from Dayton Power & Light, Sam Ahrman.

Mayor - Mayor Riley thanked Debbie Stamper for her presentation and said that the Convention and Visitors Bureau does a yeoman's job. He also thanked the Board of the CCCVB. He introduced the JETT Team – Job Emphasis Tracking Team. He asked Rob Jaehnig to speak on behalf of the team.

Councilman Jaehnig announced that they had assembled a Job Emphasis Tracking Team (JETT). He said the goal of the team was to celebrate the small successes along the path of job creation during the 2013 year. He went on to say that the mayor had set a goal of 750 jobs for the year and they wanted to focus the community on what is going on positively in the job creation market in Wilmington. He said he reached out to creative people in the community to try to help with the project and those people would attend the next council meeting. He said as new companies open and current companies expand or hire back laid-off workers they will ask them to communicate with them so they can track those numbers. He said so far they have 22 new jobs so far this year, and this number would be updated at each council meeting. He used the example of Buckaroos restaurant, which had four full-time employees and twelve part-time employees. He said that part-time jobs were divided in half to calculate their full time equivalent (FTE) for the purpose of counting new jobs and all jobs in the 45177 zip code are counted. The jobs counted are only ones that actually are implemented, not just announced. He added that a group of artists will be creating a graphic display in the first floor windows of the municipal building that will represent all of the different aspects of job creation in the coming year. He said the Wilmington Arts Collaborative has agreed to work on a mural-type piece on the wall behind the windows, which will be unveiled at the end of the year. He said that anyone who would like to help should contact him or the mayor.

Paul Hunter asked how they would know when jobs were added.

Councilman Jaehnig said that they respect that some businesses will not want to share that information. The numbers will be based on only those who do want to add their jobs into the count. He said on the city website, there will be a link to the economic development page and that site will have a page that will be updated with the latest information. He said information will also be submitted to the newspaper. All points of

information will have a similar design or logo. He said the current count of 22 includes ten from Buckaroos, 11 from Tri-State Media out on Davids Drive, which moved here from Lebanon and do specialty labels. He said the last job is the one created by Steve Stiver's office in the city building.

The mayor said everyone should keep their eyes open to the city building. He mentioned that sometime this year he would like to invite 60 Minutes to come back and do a story that focuses on the jobs that had come to town. He said he wanted to point out that you never know where the jobs are going to come from. He said that last year at the county fair, a gentleman stopped him and asked who he would talk to about starting a business in the area. He said he set up a meeting with him, and it turned out to be the Tri-State Media business that just opened up. He went on to say that in March he was hosting five mayors from Ukraine that will be in the Cincinnati area doing an economic development exchange. He said they wanted to visit a rural community, so they are going to be looking at Wilmington. He said they will be looking at infrastructure and economic development work. He said he also wanted to point out that most of the city employees are now wearing nametags during the day for security purposes. He said if any of the councilmen wanted ID badges, they can get them down at the cab company. He said there will be more improvements in security. Mayor Riley also said that everyone should have enjoy a Lenten lunch starting next Wednesday at the United Methodist Church. He announced that Don Wells had an announcement.

Councilman Wells said he wanted to talk about Dayton Power & Light. He said over the last couple of weeks he had received some complaints from people in the 3<sup>rd</sup> Ward in the Southridge Area. He said there were too many outages in the area. He referred to an ad from Dayton Power & Light in the News Journal and was encouraged that the company may realize that there is a public relations problem. Paul Hunter said the outages were in the same place year after year. Councilman Wells said he just wanted to pass it along to the representative. Mayor Riley asked Sam Ahrman to give any feedback she might have to the mayor's office and they would forward it on.

Auditor - Auditor David Hollingsworth had no report.

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

Finance Committee - Chairperson Mead introduced legislation on supplemental appropriations – EMS billing refunds for \$30 and \$4500 to add the Human Resources and Utility Billing department to the city IT contract.

A motion was made by Mead and seconded by McKay 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 McKay 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 McKay 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. 5076 passed as read.

Water Committee - Chairperson Wallace introduced the annual resolution authorizing the advertisement of bids for water chemicals. He explained that it needed to be done in two separate meetings but it will need to be an emergency so it can be implemented by April.

A motion was made by Wallace and seconded by Mead to give the first reading only on a resolution Authorizing the Advertising for Bids and Purchase of Chemicals for the Water Department and Declaring an Emergency.

President asked for discussion.

Seeing none, President called for vote.

Motion passed.

Director of Law read resolution by title only.

Wallace requested that the second and third readings be on the Agenda for the next meeting.

Streets Committee - Chairperson McKay thanked Denny Gherman and the Streets crew on how well they handled the recent snow events.

Solid Waste/Recycling - Chairperson Wells had no report.

Wastewater/Sewer Committee - Chairperson Stuckert had no report.

Judiciary Committee - Chairperson Siebenaller introduced legislation that will allow the Transit Department to enter into an agreement with the Ohio Department of Transportation to purchase vehicles. He asked Phil Floyd if he had any comments.

Phil Floyd said that this was a requirement every two years.

A motion was made by Siebenaller and seconded by Wells to give the first reading only on a resolution Authorizing Participation in the Ohio Department of Transportation Cooperative Purchasing Program.

President asked for discussion.

Seeing none, President called for vote.

Motion passed.

Director of Law read resolution by title only.

A motion was made by Siebenaller and seconded by Wells 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 Siebenaller and seconded by McKay 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 of Council declared Res. No. 2312 passed as read.

Councilman Siebenaller introduced legislation allowing the Transit Department to file a four-year budget with the Ohio Department of Transportation.

A motion was made by Siebenaller and seconded by Stuckert to give the first reading only on a resolution Authorizing the Filing of a Four Year Capital and Operating Plan with the Ohio department of Transportation Covering the Period January 1, 2014 through December 31, 2017.

President asked for discussion.

Seeing none, President called for vote.

Motion passed.

Director of Law read resolution by title only.

Siebenaller requested that the second and third readings be on the Agenda for the next meeting.

Councilman Siebenaller introduced legislation authorizing a revolving loan fund agreement and explained that it was part of the CHIP program. He said it was geared toward allowing low- and middle-income homeowners to help fix up their properties.

A motion was made by Siebenaller and seconded by Stuckert to give the first reading only on a resolution Authorizing the Revolving Loan Fund Agreement with the Ohio Development Services Agency.

President asked for discussion.

Seeing none, President called for vote.

Motion passed.

Director of Law read resolution by title only.

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

Councilman Siebenaller introduced legislation adopting the definition of a swimming pool in the City of Wilmington ordinances. He explained that there are laws in our ordinances regulating swimming pools, but a swimming pool is not defined, so it makes it difficult to enforce the ordinances.

A motion was made by Siebenaller and seconded by Wells to give the first reading only on the ordinance Adopting New Section in Chapter 1131 of the City of Wilmington Codified Ordinance Regarding Definition of a Swimming Pool, and Declaring an Emergency.

President asked for discussion.

Seeing none, President called for vote.

Motion passed

Director of Law read ordinance by title only.

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

Safety Committee - Chairperson Wells introduced legislation authorizing an agreement for the boarding of prisoners at the Clinton County jail.

A motion was made by Wells and seconded by Siebenaller to give the first reading only on a resolution Authorizing an Agreement for the Boarding of Prisoners at the Clinton County Jail.

President asked for discussion.

Seeing none, President called for vote.

Motion passed.

Director of Law read resolution by title only.

Wells requested that the second and third readings be on the Agenda for the next meeting.

Downtown Revitalization Committee - Chairperson McKay said he noticed that the old News Journal building was going up for public auction again soon and hoped there would be bidders and the building and parking lot could be repurposed.

President Kirchner added that he thought it was an online auction only.

Parks and Recreation Committee – Chairperson Jaehnig announced that the community work session on the Southeast Neighborhood Park went very well and there was great discussion. He applauded Lori Williams on the direction that they are taking. He said they had a grant for about \$37,000 to repurpose and bring life back to that park. He said they are having great community engagement on what the neighborhood wants to do with the park. He went on to say that the ballparks out at the park are getting used more and more every year by both local leagues and traveling sports team. He announced that they are doing a banner program for the first time on the outfield fences. If any businesses or organizations are interested in promoting in that way, they are taking orders for the upcoming season. He also mentioned that there was a bad accident on Rombach Avenue recently in which the street near the park was closed and rerouted. He said it caused a huge pileup of cars in the park who were trying to avoid the accident by cutting through. He asked if in the future Denny could close the park entrance when in those types of situations.

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

Service Director - Service Director Reinsmith had no report.

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 following reports be accepted as presented.

- a. January 2013 Income Tax Report
- b. Annual 2012 Municipal Court Report
- c. Hotel Lodging Tax Report – 4<sup>th</sup> Quarter, 2012
- d. Law Director Report

President of Council asked for discussion.

Councilman Jaehnig asked if they could adjust the Hotel Lodging Tax report to include a year to year comparison. President Kirchner said he thought the request had been made last year for that. Clerk Brenda Woods said that she would request the changes with Deputy Auditor Vance.

Councilman Siebenaller noticed that the business section of the treasurer's report was significantly lower than last and asked the treasurer what caused that. Treasurer Paul Fear said that he hoped it was just a timing issue and not about the profit by businesses in town. He said the withholding was up the same amount as the others. He said they will not really know what the situation is until they see a month-to-month.

Seeing no more discussion, President of Council called for vote.

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.

Samantha Ahrman: 2909 Waynesville-Jamestown Road, Xenia, Ohio. She said that she was the new Community Ambassador for Dayton Power & Light. She said she grew up in Lynchburg, Ohio. She said that she would do her best to address issues and concerns. She said that the DHL pull-out affected several members of her immediate family and was glad to see the job creation initiative in Wilmington. She said she works in the supply chain under Contracts and Compliance for Dayton Power & Light.

Service Director Reinsmith asked that Ms. Ahrman give him phone number that he could use in case there are problems in the community that need resolved. She gave him the number and said that she would do her best to direct him to the right department. Councilman Wells said that he thought DP&L should continue the advertisements because they are very effective.

Councilman Wells said he checked over at TBS and did not think there was anything going on at the business. Mayor Riley said that they workers had just returned a week or two ago from Texas as they were doing on-site installation. He said there is traffic in and out of there every day. He added that a lot of their business is not new ovens but in refurbishing other units. He said that he goes out and sees the owner of Total Baking Solutions every month or so. Paul Hunter said that if they were working off-site, then the city might not be getting income tax for that work. He said that we should be checking in with them to see how their progress is going to justify the \$1/year rental of the building. Mayor Riley said that he is staying in contact with the owners. He added that the bakery business is undergoing many changes right now but they were hoping it would stabilize soon.

Mayor Riley pointed out that Commissioner Kerry Steed was in the audience.

President Kirchner said that the aggregation rates should be showing up soon on people's energy bills. He said he spoke to Bill Bradish who is now working on the aggregation for the unincorporated sections of the county. He said they are working on

moving that under the city's contract in the future. He explained the expiration of that the county contract would coincide with the city's contract so they could consolidate it into one large contract in the future. Paul Hunter said that on the city website they have instructions on how to opt-in to the aggregation if you are currently under another contract. Paul Fear pointed out that people currently under DPL Energy have to opt-in; they are not automatically transferred into the aggregation rate. President Kirchner said that anyone can join the aggregation group at any time, but they would not necessarily get the original rate. The number of people eligible for the original rate is capped at the number of people who joined the aggregation in the first round. Beyond that, DPL Energy can adjust the rate based on market conditions, but it should still be competitive.

Councilman Stuckert asked what mechanism is in place for people who are moving into town. How would a new person know about the aggregation program? President Kirchner said that he was not sure how you would build that mechanism. He suggested that it would be word of mouth. Paul Hunter said that perhaps DP&L would inform a new customer of their options. President Kirchner said maybe the PUCO website might indicate that there is an aggregation in Wilmington. Samantha Ahrman explained that when a person signs up with DP&L, the company is not permitted, because of PUCO regulations, to inform them of the option to sign up for DPL Energy because they are not permitted to be biased.

Councilman Mead said they had discussed at one time that commercial businesses under a certain number of kilowatt hours would be part of the aggregation and he could not remember whether or not that was automatic or if they need to opt-in. President Kirchner said that he thought that small businesses that were not already contracted with another provider would automatically be included in the aggregation. He said if they were already contracted with an alternate provider, they would have to opt-in.

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

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

A motion was made by Jaehnig and seconded by Wallace to adjourn.  
Motion passed.  
Council adjourned.

ATTEST:

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President of Council

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Clerk