

JACKSON CITY COUNCIL

*Minutes from*  
August 14, 2006  
7:00 p.m.  
Regular Session

Jackson City Council met in regular session on Monday, August 14, 2006, at 7:00 p.m. at the Jackson City Council chambers. President Jim Humphreys called the meeting to order. The Pledge of Allegiance was given and followed by prayer, both led by Brett Reed.

A roll call was taken as follows:

- ◉ Mrs. Colby – present
- ◉ Mr. – present
- ◉ Mr. Eric Brown – present
- ◉ Mr. Reed – present
- ◉ Mr. Cary Brown – absent
- ◉ Mr. Stewart – present
- ◉ Mr. Heath – present

Mr. Reed made a motion to excuse Mr. Cary Brown, seconded by Mr. Eric Brown. By a voice vote the motion was approved.

Mr. Reed moved to amend the minutes, removing the “First Reading” from Ordinance No. 176-06. Mr. Stewart made a motion to approve the minutes with the amendment, seconded by Mr. Hughes. By a voice vote the motion was approved.

Mr. Heath made a motion to go into executive session to discuss potential legal matters and litigation, seconded by Mr. Reed. By a voice vote the motion was approved.

Council went into executive session at 7:05 p.m.

Mr. Heath made a motion to return to regular session, seconded by Mr. Reed. In a voice vote the motion was approved.

Council adjourned from executive session at 7:59 p.m.

Mr. Heath made a motion to go into executive session to discuss the possible purchase of real property, seconded by Mr. Eric Brown.

Council went into executive session at 8:00 p.m.

Mr. Heath made a motion to return to regular session, seconded by Mrs. Colby. In a voice vote the motion was approved.

Council adjourned from executive session at 8:35 p.m.

## VISITORS

## COMMITTEE REPORTS

**UTILITY – No Report.**

## BUDGET & FINANCE

Mr. Reed discussed how the City's funds stand (see attached). Electric fund was not included, due to a problem with the figures. The water fund is in trouble, will be approximately \$700,000 less than projected, due to loss of revenue when Jackson County Water took over accounts and with the rate of spending. Electric fund figures will be available soon.

Mrs. Colby noted that spending is up in the General Fund, see Auditor's report. Mr. Reed asked all to review the report. Mr. Heath noted that Water, Sewer and Garbage Fund expenditures exceed revenue. Mrs. Colby noted that the budget is higher for the Electric Fund than anticipated revenue. Mrs. Sexton stated this worksheet would outline projected income.

## POLICE, FIRE & TRAFFIC

Mr. Eric Brown reported on the committee meeting held on July 5, 2006. The speed limit on Veterans Drive should be increased to 35 mph the entire length. He would like to see a motion made. Mr. Benson stated this did not need a motion, it could just be changed.

Mr. Heath made a motion to increase the speed limit on Veterans Drive from Harding Avenue to McCarty Lane to 35 mph, seconded by Mr. Hughes.

**SERVICE – No Report.**

**RAILROAD – No Report.**

## LEGAL

Mr. Detty informed Council of a lawsuit that was filed against the City of Jackson in regards to non-closure of any alley on South Street.

**BUILDING – No Report.**

**CITY AUDITOR – No Report.**

LAW DIRECTOR – No Report.

## MAYOR

Mayor Goodman stated that FOP negotiations had started for their new contract; both he and Mr. Eric Brown made proposals. Would like any suggestions or comments from Council by next week.

Mayor Goodman stated Pig Iron Days was a great success.

Mr. Workman, Mr. Eric Brown and Mayor Goodman attended a recent Launch meeting; Mayor Goodman stated this was a good program.

Mayor Goodman stated that he had attended the monthly meeting with the Economic Development Director; a task force had been developed for potential businesses.

Mayor Goodman stated he had met with Mr. Marvin Ross, the meeting went well and he has a better understanding of his issues.

Mayor Goodman talked with the Police Department about establishing a tip line, in conjunction with Southern Ohio Crime Stoppers; more information will be available at a later date.

Mayor Goodman had received a proposal for railroad repairs, will forward a copy to Mr. Stewart. A decision will be made at a later date and would like feedback from Council.

Mr. Heath asked to see a copy of the Police contract. Mayor Goodman stated he will forward a copy, and suggestions are needed soon.

## SERVICE DIRECTOR/CITY ENGINEER

Mr. Benson stated that the water loss survey had been completed, approximate cost being \$7,000. Noting that 35,000 gallons a day were lost. Study will be continued on 17 miles of big lines.

Mr. Benson stated that six bids were received for the Veterans Drive substation, next phase.

## CHIEF OF STAFF

Mr. Workman stated that a \$7,600 bid was received from Boggs Pest Control for the pigeon control issue.

Mr. Workman noted the proposal for appraising city owned property.

Mr. Workman had been notified by the Ohio Department of Transportation that the city would receive funding for the Bike Path Project. No immediate start date has been set, will hold a meeting soon to discuss the details.

Mr. Reed questioned the purpose of the appraisal. Mr. Workman stated this was for Veterans Drive real property that is going to be sold. Mrs. Colby asked who was contacted. Mr. Workman stated several had been contacted.

**ORDINANCES AND RESOLUTIONS**

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ORDINANCE NO. 165-06

AN ORDINANCE APPROVING APPROPRIATIONS FOR COMMUNICATIONS AND POSTAGE IN THE WATER FUND AND IN THE SEWER FUND.

THIRD READING

Mr. Heath asked Mrs. Colby if she had received the breakdowns that were requested. Mrs. Colby stated she had not and would like to receive.

In a roll call to adopt the ordinance, Council voted as follows:

- Mrs. Colby – no
- Mr. Hughes – no
- Mr. Eric Brown – yes
- Mr. Reed – yes
- Mr. Cary Brown – absent
- Mr. Stewart – yes
- Mr. Heath – no

President Humphreys cast the deciding no vote.

ORDINANCE NO. 165-06 DEFEATED

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ORDINANCE 166-06

AN ORDINANCE APPROVING APPROPRIATIONS FOR MAINTENANCE OF EQUIPMENT AND FACILITIES AND MISCELLANEOUS CONTRACTUAL SERVICES IN THE WATER UTILITY OFFICE FUND, THE SEWER UTILITY OFFICE FUND, THE GARBAGE UTILITY OFFICE FUND, AND IN THE ELECTRIC UTILITY OFFICE FUND.

THIRD READING

In a roll call to adopt the ordinance, Council voted as follows:

- Mrs. Colby – yes
- Mr. Hughes – yes
- Mr. Eric Brown – yes
- Mr. Reed – yes
- Mr. Cary Brown – yes
- Mr. Stewart – yes
- Mr. Heath – yes

ORDINANCE NO. 166-06 DULY ADOPTED

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ORDINANCE NO. 173-06

AN ORDINANCE AMENDING JACKSON CODIFIED ORDINANCE CHAPTER 557,  
RELATING TO WEED CONTROL.

SECOND READING

Mrs. Colby asked if changes had been made. Mr. Detty stated the ordinance needs amended. Mr. Heath the Legal committee had input. Mr. Reed stated the committee recommends Section #1 should be deleted. Further stating hay projects would put down a deposit, and must register with Administration Office. Mr. Workman also noted the lot size needed to be specified and the increased fines.

Mr. Reed made a motion to amend the ordinance as follows: Section #1 would be deleted. Added would be: Persons wishing agricultural use of land will place a deposit of \$300 (flat fee) and must have a minimum 3 acre lot to be eligible. Application must be made in the Administration Office and deposit would be returned at the end of the season.

This was seconded by Mr. Eric Brown.

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ORDINANCE NO. 174-06

AN ORDINANCE APPROVING APPROPRIATIONS IN THE GENERAL –POLICE.

SECOND READING

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ORDNANCE NO. 175-06

AN ORDINANCE TRANSFERRING APPROPRIATIONS.

SECOND READING

Mr. Heath asked if this was on the leads unit terminal? Mrs. Colby stated no.

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ORDINANCE NO. 176-06

AN ORDINANCE APPROVING ADDITIONAL FUNDS IN THE WATER FUND.

Mr. Humphreys refused to give ordinance a second reading, stating it was not properly brought before council.

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ORDINANCE NO. 184-06

AN ORDINANCE AUTHORIZING THE ISSUANCE OF ELECTRIC SYSTEM REVENUE IMPROVEMENT BONDS, SERIES 2006 UNDER ARTICLE XVIII OF THE OHIO CONSTITUTION, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,600,000 FOR THE PURPOSE OF PROVIDING FUNDS TO RETIRE NOTES ISSUED TO PAY THE COSTS OF CAPITAL IMPROVEMENT OF THE CITY'S ELECTRIC SYSTEM, INCLUDING CONSTRUCTING, INSTALLING AND EQUIPPING A NEW SUBSTATION, TOGETHER WITH ALL APPURTENANCES THERETO, AND PAYING ISSUANCE COSTS OF THE SERIES 2006 BONDS; INCLUDING A TRUST AGREEMENT PROVIDING FOR THE RIGHTS OF THE HOLDERS OF, AND PLEDGING REVENUES AND FUNDS TO SECURE THE SERIES 2006 BONDS INCLUDING ANY ADDITIONAL BONDS, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE CERTIFICATE; APPROPRIATING FUNDS FOR A BOND RESERVE FUND; AND DECLARING AN EMERGENCY.

SECOND READING

Mr. Heath stated that Mr. Grasbaugh was present to answer any questions. Mr. Reed was there a removal of the clause. Mr. Grasbaugh stated that the insurer would insure, wanted to change trust indenture. Mr. Reed stated only deals with closed loop would be accepted, this was basically the only change.

Mr. Reed made a motion to suspend the rules, seconded by Mr. Stewart. In a voice vote all agreed.

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes

Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ORDINANCE NO. 184-06 DULY ADOPTED.

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ORDINANCE 186-06

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE  
GENERAL-GENERAL GOVERNMENT FUND.

FIRST READING

Mr. Detty stated an agreement has been approved. Mr. Heath stated there was no emergency clause, do we have 30 days.

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to amend adding, AND DECLARING AN EMERGENCY and the paragraph of standard language, seconded by Mr. Stewart.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a voice vote all agreed.

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ODINANCE NO. 186-06 DULY ADOPTED

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ORDINANCE 187-06

AN ORDINANCE TRANSFERRING APPROPRIATIONS.

FIRST READING

Mr. Heath asked if the fire department had enough funds to put fuel in the tanks. Mr. Workman stated the chief gave the information to him, shortages were found and this needed to be acted upon immediately.

Mr. Stewart made a motion to adopt the ordinance, seconded by Mr. Heath. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a voice vote all agreed.

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ODINANCE NO. 187-06 DULY ADOPTED

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ORDINANCE 188-06

AN ORDINANCE TRANSFERRING APPROPRIATIONS.

FIRST READING

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Reed. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a voice vote all agreed.



Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ODINANCE NO. 188-06 DULY ADOPTED

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ORDINANCE 189-06

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE  
GENERAL FUND.

FIRST READING

Mr. Reed asked if this could be rebid. Would like to see as an emergency, for health and safety reasons.

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Reed. In a voice vote, all Council agreed.

Mr. Reed made a motion to amend adding, AND DECLARING AN EMERGENCY and the paragraph of standard language, seconded by Mr. Heath.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a voice vote all agreed.

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes

Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ODINANCE NO. 189-06 DULY ADOPTED

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ORDINANCE 190-06

AN ORDINANCE TRANSFERRING APPROPRIATIONS.

FIRST READING

Mr. Heath asked if we had more garbage now than in the past. Mr. Workman stated that invoices for November and December 2005 were paid from the 2006 budget. Mr. Colby asked who paid for houses that were demolished. Mr. Workman stated that was taken from a different fund. Mr. Reed asked if this appropriation would cover the rest of the year, further stating dump charges had increased. Mr. Benson stated that the \$15,000 was in a fund for a garbage truck shed, which had not been started. Mr. Humphreys asked if insurance funds would be short. Mrs. Sexton stated no. Mr. Reed stated the shed was not necessary it was to keep the garbage trucks out of the garage.

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a voice vote all agreed.

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes

Mr. Hughes – yes  
Mr. Eric Brown –yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ODINANCE NO. 190-06 DULY ADOPTED

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ORDINANCE NO. 191-06

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE  
GENERAL – POLICE FUND.

FIRST READING

Mr. Workman stated this pertains to transfers within the police department; there will be shortfalls in the budget. Mr. Heath asked if any other appropriations had been made. Mr. Workman stated the jail fund.

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

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ORDINANCE NO. 192-06

AN ORDINANCE TRANSFERRING APPROPRIATIONS.

Mr. Stewart made a motion to adopt the ordinance, seconded by Mr. Heath. In a voice vote, all Council agreed.

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ORDINANCE 193-06

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE  
ELECTRIC FUND, AND DECLARING AN EMERGENCY.

FIRST READING

Mr. Heath stated this must be passed.

Mr. Stewart made a motion to adopt the ordinance, seconded by Mr. Heath. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a voice vote all agreed.

Mrs. Colby – yes

Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown –yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ODINANCE NO. 193-06 DULY ADOPTED

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ORDINANCE 194-06

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE  
ELECTRIC FUND, AND DECLARING AN EMERGENCY.

FIRST READING

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a voice vote all agreed.

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown –yes  
Mr. Reed – yes

Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ODINANCE NO. 194-06 DULY ADOPTED

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ORDINANCE 195-06

AN ORDINANCE TRANSFERRING APPROPRIATIONS.

President Humphreys refused to read this ordinance, stating it was not properly brought before council.

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ORDINANCE NO. 196-06

AN ORDINANCE AUHORIZING THE MAYOR TO EXECUTE A REAL ESTATE SALES AGREEMENT, AUTHORIZING THE PURCHASE OF REAL PROPERTY, AND DECLARING AN EMERGENCY.

FIRST READING

Mr. Heath stated that the ordinance needs an explanation; this is for the Buckeye Community Services Building purchase. The building was made available after the fire, they contacted the fire department. Fire department would like to expand, due to equipment being stored off site. Monies will come from the fire department fund, this is a good investment. Mr. Detty stated he did not know where the money was coming from and he had no legal description.

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

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ORDINANCE 197-06

AN ORDINANCE TRANSFERRING APPROPRIATION.

FIRST READING

Mr. Detty stated that this ordinance was gave to Council tonight, because he did not receive until today, the email was dated for Friday from the Auditor. Mr. Workman stated that the insurance would run short, needs paid ASAP. Mrs. Sexton stated funds were short for commercial insurance, renewed June 24, billed in July.

Mr. Stewart made a motion to adopt the ordinance, seconded by Mr. Heath. In a voice vote, all Council agreed.

Mr. Heath made a motion to amend adding, AND DECLARING AN EMERGENCY and the paragraph of standard language, seconded by Mr. Stewart.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a voice vote all agreed.

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes  
Mr. Hughes – yes  
Mr. Eric Brown – yes  
Mr. Reed – yes  
Mr. Cary Brown – absent  
Mr. Stewart – yes  
Mr. Heath – yes

ODINANCE NO. 197-06 DULY ADOPTED

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ORDINANCE 198-06

AN ORDINANCE ASSENTING TO THE DETACHMENT OF PROPERTY.

FIRST READING

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

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**ORDINANCE NO. 185-06 VETOED BY MAYOR GOODMAN (See Attached Memo)**

Mr. Heath stated that Mr. Benson used money from the Water Fund, not his own fund for training. Mayor Goodman had referred to this as a cost allocation, not proper through the year, engineer should take money from his own fund. Now a grievance had been filed. Mr. Reed stated we are using Mr. Benson’s license for the Waste Water, so he is a part of this department. Should have been put in budget earlier, would like to override the veto. Mrs. Colby asked why we were using his license. Mr. Benson stated his license had been used for two and half years, no one else has a license. Mrs. Colby

state \$1,700 in reimbursement had been taken from the Sewer, Waste Water, Water and Electric funds. Why are we paying for his continued education? This money is for the employee training. The Mayor has allowed this to happen. Council should not allow him to use these funds. Mr. Heath stated we have an Engineer budget; he should use his own budget. His budget is not reflecting true figures because he is taking money from other funds. Mrs. Colby asked if he would like if other employees used his funds. Mayor Goodman stated when all personnel agendas and animosity is removed, Council would see his training is necessary and are monies are being taken from the appropriate funds. This has been done before, and he feels there is a vendetta against Mr. Benson. Mrs. Colby disagrees, we have a line item budget, and his schooling does not benefit the city. Mr. Heath stated the problem started when the engineer's budget was set, cannot monitor accurately. Mr. Reed stated Mr. Benson does several other jobs within the city. Council needs to address the continuing education, asking if anyone else has a license. Mrs. Colby asked which license was being used. Mr. Benson stated the Water Distribution and Collection. Greg Wilson now has license. Mr. Heath stated engineer has a budget; all costs should fall in his budget. Mr. Reed stated he is operating outside the scope of engineer. Mr. Heath stated cost allocations come at the end of the year. Mr. Reed stated the attorneys stated this is being done correctly. Mayor Goodman stated backflow prevention is very appropriate, legal opinion states this is correct. Mrs. Colby asked where service director get benefits, should not have to use his license. We are over budget and out of control. Mr. Reed asked Mr. Benson why we were using his license. Mr. Benson stated no one else has appropriate license. Mr. Wilson is not over these departments. President Humphreys stated that we are not picking on Mr. Benson, more money should have been asked for. Mayor Goodman state that could have been done, expenses will be incurred that involve multiple departments. Mr. Heath stated this could be expected if Mr. Benson did not have his own fund. Mr. Reed agrees with Mr. Humphreys, should have been brought up sooner, now facing possible litigation.

**CORRESPONDENCE – None**

**OLD BUSINESS – None**

**NEW BUSINESS**

President Humphreys asked if parking lines were going to be painted between Main and Broadway Streets. Mr. Workman stated he would get an answer.

Mr. Reed reminded Council that the pigeon issue needs immediate attention.

Mr. Heath made a motion to adjourn, seconded by Mr. Heath.

Council adjourned at 10:20 p.m.

Tera L. King  
Tera L. King  
Clerk  
Date: 8-28-06

Jim Humphreys  
Jim Humphreys  
Council President  
Date: Aug. 28, 2006



City of Jackson  
 General Fund  
 Fund # 110

Date Prepared: 8/14/2006

Estimated % of Appropriations to Be Spent	Estimated Percentage of Budget to Spend		
	100%	95%	90%
2006 Starting Balance	\$ 1,946,875	\$ 1,946,875	\$ 1,946,875
2006 Estimated Revenue	\$ 4,895,787	\$ 4,895,787	\$ 4,895,787
2006 Estimated Expense	\$ 4,258,296	\$ 4,045,381	\$ 3,832,467
2006 Ending Balance	<u>\$ 2,584,366</u>	<u>\$ 2,797,281</u>	<u>\$ 3,010,195</u>

(1) This is the carryover balance from 2005  
 (2) This is the estimated revenue for 2006  
 (3) These are the budgeted appropriations for 2006 multiplied by the estimated % that will be spent

Increase / (Decrease) in Ending Balance \$ 637,491 \$ 850,406 \$ 1,063,320 \$ 1,276,235

There are ordinances that have either been passed or are in the process of City Council approval that have not been posted to the estimated expense which will affect lines 10 & 12. As soon as we receive them they will be posted if they have been approved by Council.

**The total percentages are as follows:**

Estimated Revenue Received	2006 YTD	2005
Appropriations Expended	36.56%	104%
	63.17%	97%

As of 8/9/06, we are on pace to spend 95%, leaving an approximate balance of \$2,797,281. This is a increase of \$850,406 in the ending balance.

**Estimated Revenue Detail:**

Est Rev from Detailed Trail Balance printout	\$4,813,131.86
Add: Increase in Fire Protection Cont not in est	\$ 1,500.00
Add: Miscellaneous Items not is estimate	\$ 17,657.64
Add: Estate & Inher tax not in estimate	\$ 59,907.20
Add: Local Govt Per Prop not in estimate	\$ 3,590.29
<b>Adjusted Estimated Revenue</b>	<u>\$4,895,786.99</u>

**Expense Detail:**

Appropriations	\$ 4,245,680.44
Add: Police Overtime	\$ 12,615.80
<b>Adj Appropriations</b>	<u>\$ 4,258,296.24</u>

63.17/8\*12=95

New Estimated Revenue Received percentage 36.56%  
 New expense percentage 55.03%

Date Prepared: 8/14/2006

City of Jackson  
 Water Department  
 Fund # 701

Estimated % of Appropriations to Be Spent	Estimated Percentage of Budget to Spend		
	100%	90%	80%
2006 Starting Balance	\$ 2,030,786	\$ 2,030,786	\$ 2,030,786
2006 Estimated Revenue	\$ 1,553,651	\$ 1,553,651	\$ 1,553,651
2006 Estimated Expense	\$ 2,752,050	\$ 2,614,448	\$ 2,201,540
2006 Ending Balance	\$ 832,387	\$ 969,989	\$ 1,382,797
Increase / (Decrease) in Ending Balance	\$ (1,198,399)	\$ (1,060,797)	\$ (647,969)

(1) This is the carryover balance from 2005  
 (2) This is the estimated revenue for 2006  
 (3) These are the budgeted appropriations for 2006 multiplied by the estimated % that will be spent

There are ordinances that have either been passed or are in the process of City Council approval that have not been posted to the estimated expense which will affect lines 10 & 12. As soon as we receive them they will be posted if they have been approved by Council.

**The total percentages are as follows:**

	2006 YTD	2005
Estimated Revenue Received	58.81%	106%
Appropriations Expended	52.62%	76%

As of 8/9/06, we are on pace to spend 80%, leaving an approximate balance of \$1,382,797. This is a decrease of \$647,989 in the ending balance.

City of Jackson  
Sewer Department  
Fund # 711

Date Prepared: 8/14/2006

Estimated % of Appropriations to Be Spent	Estimated Percentage of Budget to Spend			
	100%	95%	90%	82%
2006 Starting Balance	\$ 4,579,363	\$ 4,579,363	\$ 4,579,363	\$ 4,579,363
2006 Estimated Revenue	\$ 2,929,358	\$ 2,929,358	\$ 2,929,358	\$ 2,929,358
2006 Estimated Expense	\$ 3,502,904	\$ 3,327,759	\$ 3,152,614	\$ 2,872,381
2006 Ending Balance	<u>\$ 4,005,817</u>	<u>\$ 4,180,962</u>	<u>\$ 4,356,107</u>	<u>\$ 4,636,340</u>

(1) This is the carryover balance from 2005  
(2) This is the estimated revenue for 2006  
(3) These are the budgeted appropriations for 2006 multiplied by the estimated % that will be spent

Increase / (Decrease) in Ending Balance \$ (573,546) \$ (398,401) \$ (223,256) \$ 56,977

There are ordinances that have either been passed or are in the process of City Council approval that have not been posted to the estimated expense which will affect lines 10 & 12. As soon as we receive them they will be posted if they have been approved by Council.

**The total percentages are as follows:**

Estimated Revenue Received	2006 YTD	2005
Appropriations Expended	50.66%	128%
	54.37%	63%

As of 8/9/06, we are on pace to spend 82%, leaving an approximate balance of \$4,636,340.  
This is a increase of \$56,977 in the ending balance.

**Estimated Revenue Detail:**

Est Rev from Detailed Trail Balance printout	\$ 2,929,357.83
Add: Sale of fixed assets not in estimates	\$ 100.00
Add: Other, Misc not in estimates	\$ 581.97
	\$ -
	\$ -
	<u>\$ 2,930,039.80</u>

**Expense Detail:**

Appropriations \$ 3,502,985.94

54.37/8\*12=82

Adjusted Estimated Revenue

\$ 3,502,985.94

Adj Appropriations

New Estimated Revenue Received percentage 50.66%  
New expense percentage 54.37%

City of Jackson  
Garbage Department  
Fund # 721

Date Prepared: 8/14/2006

Estimated % of Appropriations to Be Spent	Estimated Percentage of Budget to Spend			
	100%	98%	90%	85%
2006 Starting Balance	\$ 63,132	\$ 63,132	\$ 63,132	\$ 63,132
2006 Estimated Revenue	\$ 553,662	\$ 553,662	\$ 553,662	\$ 553,662
2006 Estimated Expense	\$ 563,704	\$ 552,430	\$ 507,334	\$ 479,148
2006 Ending Balance	\$ 53,090	\$ 64,364	\$ 109,460	\$ 137,646

(1) This is the carryover balance from 2005  
(2) This is the estimated revenue for 2006  
(3) These are the budgeted appropriations for 2006 multiplied by the estimated % that will be spent

Increase / (Decrease) in Ending Balance \$ (10,042) \$ 1,232 \$ 46,328 \$ 74,514

There are ordinances that have either been passed or are in the process of City Council approval that have not been posted to the estimated expense which will affect lines 10 & 12. As soon as we receive them they will be posted if they have been approved by Council.

**The total percentages are as follows:**

	2006 YTD	2005
Estimated Revenue Received	59.60%	106%
Appropriations Expended	65.28%	96%

As of 8/9/06, we are on pace to spend 98%, leaving an approximate balance of \$64,364.  
This is a increase of \$1,232 in the ending balance.

**Estimated Revenue Detail:**

Est. Rev from Detailed Trail Balance printout	\$ 553,662.25
Add: Other, Misc not in estimates	\$ 43.10
	\$ -
	\$ -
	\$ -
<b>Adjusted Estimated Revenue</b>	<b>\$ 553,705.35</b>

**Expense Detail:**

Appropriations	\$ 563,309.12
	65.28/8*12=98
<b>Adj Appropriations</b>	<b>\$ 563,309.12</b>

New Estimated Revenue Received percentage 59.60%  
New expense percentage 65.28%

# CITY OF JACKSON

145 Broadway Street • Jackson, Ohio 45640-1656  
Phone (740) 286-2201 • [www.jacksonohio.us](http://www.jacksonohio.us) • Fax (740) 286-3492

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August 14, 2006

President Humphreys and Members of City Council:

I am vetoing ordinance #185-06 because I do not believe it is in the best interest of the City. Further, I believe it was the intent of the ordinance to take money from the City Engineer budget simply because expenses incurred by the Engineer had been paid from other funds respectively, based on the purpose and benefit of the cost incurred.

I asked Attorney Robert Taylor for an opinion, to verify or clarify the appropriate method by which the City may allocate expenses. I have attached Mr. Taylor's response, wherein he explains that the position of the Auditor of State is that expenses can be paid from various funds if there is a cost allocation study or other evidence that it is an appropriate expenditure from that fund. I have attached the email correspondence from Mr. Taylor.

I have provided the law director with information to draft a new ordinance to transfer money within the water fund, which I believe is a more appropriate course of action to provide the funding necessary in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SAG', followed by the word 'MAYOR' written in a smaller, less distinct script.

Shane A. Goodman, Mayor

SPONSOR: Heathley

## ORDINANCE NO. 185-06

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

**Section One.** City appropriations are hereby transferred as follows:

FROM	AMOUNT	TO	AMOUNT
GENERAL - CITY ENGINEER FUND 110-7725-53011 (Printing & Production)	\$ 250.00	WATER FUND 701-7510-53001 (Travel & Transportation)	\$ 492.96
GENERAL - CITY ENGINEER FUND 110-7725-53014 (Office Supplies)	\$ 240.60	SEWER FUND 711-7525-53001 (Travel & Transportation)	\$ 397.56
GENERAL - CITY ENGINEER FUND 110-7725-53042 (Education & Training)	\$ 553.00	SEWER COLLECTION DEPT. FUND 717-7525-53001 (Travel & Transportation)	\$ 153.08

**Section Two.** This Ordinance is hereby declared to be an emergency Ordinance, necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, in that it is necessary to transfer these appropriations as soon as possible to cover expenses of travel and transportation for City employees. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

**Section Three.** In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

Section Four. In is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Date: July 24, 2006

James H. Hinkle  
PRESIDENT OF COUNCIL

Ann D. King  
CLERK OF COUNCIL

Approved:

Date: \_\_\_\_\_

VETO 8/11/06  
MAYOR  
PLEASE SEE ATTACHED MEMO

DATE: JULY 20, 2006  
 TO: LAW DIRECTOR  
 FROM: CARL BARNETT, JR., CITY AUDITOR  
 RE: MODIFY APPROPRIATIONS

Please prepare an Ordinance for the next council meeting to move appropriations as follows:

**MOVE APPROPRIATIONS FROM:**

FUND	LINE ITEM	DESCRIPTION	AMOUNT	AMENDED APPROPRIATION
GENERAL - CITY ENGINEER	110-7725-53011	PRINTING & REPRODUCTION	\$ 250.00	.00
" " "	110-7725-53014	OFFICE SUPPLIES	240.40	359.40
" " "	110-7725-53042	EDUCATION AND TRAINING	553.00	947.00

**MOVE APPROPRIATIONS TO:**

FUND	LINE ITEM	DESCRIPTION	AMOUNT	AMENDED APPROPRIATION
WATER	701-7510-53001	TRAVEL & TRANSPORTATION	\$ 492.96	\$ 1,492.96
SEWER	711-7525-53001	TRAVEL & TRANSPORTATION	397.56	897.56
SEWER-COLLECTION DEPT	717-7525-53001	TRAVEL & TRANSPORTATION	153.08	1,403.08



**Felicia Walls**

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**From:** "Shane Goodman" <[sgoodman@magicohio.com](mailto:sgoodman@magicohio.com)>  
**To:** "Felicia Walls" <[fwalls@jacksonohio.us](mailto:fwalls@jacksonohio.us)>  
**Sent:** Friday, August 11, 2006 9:15 AM  
**Subject:** Fwd: Legal question

-----Original Message-----

From: [rtaylor6@columbus.rr.com](mailto:rtaylor6@columbus.rr.com) [<mailto:rtaylor6@columbus.rr.com>]  
 Sent: Tuesday, August 01, 2006 9:15 AM  
 To: Robert H. Taylor  
 Cc: [bobhowarth@aol.com](mailto:bobhowarth@aol.com)  
 Subject: Re: Fw: Legal question

Shane, I had a call in to the Auditor of State office to determine if the Auditor's office has any guidance on whether such cost may be charged directly to the appropriate utility fund or whether the cost must be first charged to the City general fund & the City then seek reimbursement from the appropriate utility fund. Mike Howard of the AOS office returned my call on July 28, 2006. The Auditor of State takes the position that the cost may be charged directly to the appropriate utility fund so long as the City has a cost allocation study or other evidence that the cost was incurred to benefit the utility.

----- Original Message -----

From: "Robert H. Taylor" <[btaylor@midohiolaw.com](mailto:btaylor@midohiolaw.com)>  
 Date: Tuesday, August 1, 2006 8:56 am  
 Subject: Fw: Legal question  
 To: Robert Taylor <[rtaylor6@columbus.rr.com](mailto:rtaylor6@columbus.rr.com)>

>

> ----- Original Message -----

> From: "Shane Goodman" <[sgoodman@magicohio.com](mailto:sgoodman@magicohio.com)>  
 > To: "Robert Taylor" <[rtaylor@midohiolaw.com](mailto:rtaylor@midohiolaw.com)>  
 > Sent: Tuesday, August 01, 2006 1:43 AM  
 > Subject: Legal question

>

>

>> Bob -

>>

>> I sent a question a week or so ago regarding our ability to pay for  
 > various expenses from the funds which benefit. For example, if  
 > the service  
 > director attends an electric conference it's paid by the electric  
 > fund. Currently, my Chief of Staff and I are scheduled to attend  
 > various human  
 > resources trainings, which will benefit all departments. It has been  
 > questioned whether this is a legitimate expense to be divided  
 > among various  
 > funds.  
 >>

>> I think you and I spoke about this briefly and you were doing  
> some further  
> research. Any conclusions yet? Thanks.  
>>  
>> Shane  
>>  
>