

JACKSON CITY COUNCIL

Regular Session

December 8, 2008

7:00 p.m.

Call to Order.....	President Speakman
Pledge of Allegiance.....	Mr. Elliott
Opening Prayer.....	Mr. Wiggins

Roll Call

Approval of Minutes

November 24, 2008

VISITORS

COMMITTEE REPORTS:

- Utility
- Budget & Finance
- Police, Fire & Traffic
- Service
- Railroad
- Building/Recreation
- City Auditor
- Law Director
- Mayor
- Service/Safety Director
- Redistricting Committee

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

Minutes from
November 24, 2008
7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, November 24, 2008 at 7:00 p.m. at the Jackson City Council chambers. President Ron Speakman called the meeting to order. The Pledge of Allegiance was given, led by Mr. Speakman. The Prayer was given, led by Mr. Wiggins.

A roll call was taken as follows:

- Mr. Evans – present
- Mr. Adams – present
- Mr. Eric Brown – present
- Mr. Smith – present
- Mr. Cary Brown – absent
- Mr. Elliott - present
- Mr. Wiggins – present

Mr. Wiggins made a motion to excuse Mr. Cary Brown due to illness, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

Mr. Smith made a motion to approve the minutes of November 10, 2008 regular session seconded by Mr. Wiggins. In a voice vote, all Council agreed.

VISITORS

COMMITTEE REPORTS

UTILITY

Mr. Eric Brown stated the committee met on November 18th at 7:00 p.m. The topic of discussion was utility rates the committee came to no consensus but felt the public needed more information on this matter.

BUDGET & FINANCE – No Report

POLICE, FIRE & TRAFFIC

Mr. Evans stated the committee met last Wednesday with the Police Chief and Fire Chief, the entire committee was present, Mr. Eisnaugle thanked Council for the new cruiser and pay increase. Bids will be opened on December 2nd for fire trucks, the committee will meet after they are opened to discuss. Mr. Eric Brown noted that the Fire Fighters Dependency Board will hold elections on December 3rd, two members of Council are required to sit on that board, and current members are Mr. Eric Brown and Mr. Cary Brown. Mr. Wiggins asked for an explanation. Mr. Eric Brown stated that this board would only act if a fire fighter would be killed, they meet once a year. Mr. Wiggins made a motion to nominate Mr. Eric Brown and Mr. Adams for this board, seconded by Mr. Evans. In a voice vote, all Council agreed.

SERVICE – No Report

RAILROAD – No Report

Mr. Humphreys noted that the lease payment had not been received this month. Mr. Evans stated that payments must be paid by the due date, this is a contract obligation. He also asked about the audit. Mr. Dettly stated letters had been sent to US Rail twice.

BUILDING/RECREATION

Mr. Smith stated the committee met to discuss the acquisition of Parkview School, the discussion is still ongoing. Installing an elevator at the Memorial Building was discussed; Mr. Sheward will be reviewing several options. Mr. Volrath attended to discuss planting trees at Hammertown.

CITY AUDITOR

Mr. Humphreys stated the committee and administration had decided not to use cost allocations for 2008 from rent and right of ways. Mrs. Sexton stated there are not an enough funds to reimburse; those funds can be recaptured in future years if needed, with a plan and documentation in place.

LAW DIRECTOR

Mr. Detty gave his report (see attached). Mr. Smith thanked Mr. Detty for watching his budget so carefully. Mr. Speakman stated that in 2007, \$173,000+ was spent on outside legal counsel, 2008, \$68,000+, with \$50,000+ for the attorneys out of Columbus. Mr. Wiggins spoke in regards to AMP Ohio, there representative told Council they had made an error, now they say the error was not theirs, we should take action. Mr. Detty stated that would be Council's decision. Mr. Evans stated the AMP Ohio employee told us one thing and their Board took action, they are not at fault. Mr. Detty stated executive session was appropriate to discuss this matter further. Mr. Speakman agrees, still thinks the city should take most of the blame; this has damaged our relationship with AMP Ohio.

MAYOR

Mayor Heath stated that Parkview School acquisition is still ongoing, the parties met on Friday for more discussion. They would like a decision by December 31st. He will be meeting with the architect and state inspector once more to get minimum requirements to bring the building up to code. Then work can be bid out with funds available. The front lots are not part of the acquisition; this is on the table for discussion. Tomorrow he will meet with the Commissioners to discuss this issue, this could become a reality. Mayor Heath stated the announcement made last week for the \$2.8 grant for the bridge construction on 35/McCarty Lane. This will save the industrial park for future development. He gave credit to Mr. McPherson for his dedication to this project. This Council made a commitment of \$50,000 toward that project, but those funds will not be needed until 2011-2013. On Thursday, the ODRC approved the tunnel/ bridge repair/tie replacement. Mr. Reigel states there are currently 8 hydrants out of service; those are being repaired and should be completed by January 1st.

SAFETY/SERVICE DIRECTOR

Mr. Sheward stated Ordinance No. 113-08 is fund reimbursement ODRC, establishes account to start project at Richland tunnel. Mr. Speakman asked if the tunnel would be widened. Mr. Sheward stated no, just face, the wood is \$400,000, and we are going to open it to the rock, no cost estimate yet. Ordinance No. 116-08, this is engineering for the backwater wash, this is needed by December 31st, EPA requirement, we need to act now and will have one year to start the project. Ordinance No. 119-08 gives permission to contract new garbage truck, these are lot models with 2007 emission package, there will be no state purchasing. Main truck was out of service and the backup truck being used revealed more problems. This is a good time to buy, lower price and we can determine the financing later. Bids for St. Rt. 93 are out; we may have nine bids, still waiting on grant reply.

REDISTRICTING COMMITTEE

Mr. Evans stated there was no meeting and tonight this committee ends.

ORINANCES AND RESOLUTIONS

ORDINANCE NO. 102-08

AN ORDINANCE AMENDING JACKSON CODIFIED ORDINANCE SECTION 929.07, WATER RATES, AND DECLARING AN EMERGENCY.

Third Reading

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 102-08 DULY ADOPTED

ORDINANCE NO. 103-08

AN ORDINANCE AMENDING JACKSON CODIFIED ORDINANCE CHAPTER 105, WARDS AND BOUNARIES, AND DECLARING AN EMERGENCY.

Third Reading

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 103-08 DULY ADOPTED

ORDINANCE NO. 105-08

AN ORDINANCE AMENDING JACKSON CODIFIED ORDINANCE SECTIONS 921.06 DOMESTIC, COMMERCIAL, ELECTRIC HOME RATES, AND SECTION 921.07, INDUSTRIAL RATES, AND DECLARING AN EMERGENCY.

Third Reading

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 105-08 DULY ADOPTED

ORDINANCE NO. 108-08

AN ORDINANCE ESTABLISHING A VIDEO SERVICE PROVIDER FEE TO BE PAID BY ANY VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE CITY; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO SERVICE PROVIDER FEE, AND DECLARING AN EMERGENCY.

Third Reading

Mr. Eric Brown asked about the local cable channels. Mr. Detty stated we currently have three, they are only required to give us two, in accordance with the law. Mr. Eric Brown asked about the wording. Mr. Detty stated this is the way it is written, we only have one provider.

Mr. Evans made a motion to amend the ordinance as presented, Mr. Wiggins seconded. In a voice vote, all Council agreed. This reverts to a seconded reading.

Mr. Eric Brown made a motion to suspend the rules, seconded by Mr. Wiggins. In a roll call vote, Council voted as follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 108-08 DULY ADOPTED

ORDINANCE NO. 109-08

AN ORDINANCE APPROVING AND ADOPTING THE CITY OF JACKSON, OHIO, COLLECTION SYSTEM CAPACITY MANAGEMENT, OPERATION, AND MAINTENANCE (CMOM) PROGRAM; DIRECTING THE SUBMITTAL THEREOF TO THE DIRECTOR OF THE OEPA; AND DECLARING AN EMERGENCY.

Second Reading

ORDINANCE NO. 111-08

AN ORDINANCE ESTABLISHING A TEMPORARY BUDGET AND SETTING APPROPRIATIONS FOR JANUARY 1, 2009 THROUGH MARCH 31, 2009, AND DECLARING AN EMERGENCY.

Second Reading

ORDINANCE NO. 112-08

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND THE AUDITOR OF STATE OF OHIO, 88 E. BROAD ST., P.O. BOX 1140, COLUMBUS, OHIO 43216-1140, FOR THE GAAP CONVERSION SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Wiggins made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 112-08 DULY ADOPTED

ORDINANCE NO. 113-08

AN ORDINANCE APPROVING THE ADVANCEMENT OF FUNDS, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Adams made a motion to suspend the rules, seconded by Mr. Elliott. In a roll call vote, Council voted as follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 113-08 DULY ADOPTED

ORDINANCE NO. 114-08

AN ORDINANCE APPROVING THE ADVANCEMENT OF FUNDS, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Wiggins made a motion to suspend the rules, seconded by Mr. Elliott. In a roll call vote, Council voted as follows:

Mr. Evans -- yes
Mr. Adams -- yes
Mr. Eric Brown -- yes
Mr. Smith -- yes
Mr. Cary Brown -- absent
Mr. Elliott -- yes
Mr. Wiggins -- yes

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

Mr. Evans -- yes
Mr. Adams -- yes
Mr. Eric Brown -- yes
Mr. Smith -- yes
Mr. Cary Brown -- absent
Mr. Elliott -- yes
Mr. Wiggins -- yes

ORDINANCE NO. 114-08 DULY ADOPTED

ORDINANCE NO. 115-08

AN ORDINANCE APPROVING ADDITIONAL APROPRIATIONS IN THE RAILROAD FUND, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Evans made a motion to suspend the rules, seconded by Mr. Adams. In a roll call vote, Council voted as follows:

Mr. Evans -- yes
Mr. Adams -- yes
Mr. Eric Brown -- yes
Mr. Smith -- yes
Mr. Cary Brown -- absent
Mr. Elliott -- yes
Mr. Wiggins -- yes

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

Mr. Evans -- yes
Mr. Adams -- yes
Mr. Eric Brown -- yes
Mr. Smith -- yes
Mr. Cary Brown -- absent
Mr. Elliott -- yes
Mr. Wiggins -- yes

ORDINANCE NO. 115-08 DULY ADOPTED

ORDINANCE NO. 116-08

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND SANTEC CONSULTING SERVICES, INC., 1500 LAKE SHORE DRIVE, SUITE 100, COLUMBUS, OHIO 43204, FOR THE WATER PLANT SLUDGE DEWATERING IMPROVEMENTS AND MISCELLANEOUS WATER TREATMENT PLANT IMPROVEMENTS, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Wiggins made a motion to suspend the rules, seconded by Mr. Elliott. In a roll call vote, Council voted as follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 116-08 DULY ADOPTED

ORDINANCE NO. 117-08

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

First Reading

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

Mr. Smith asked for an explanation. Mr. Eric Brown requested details before appropriating funds. Mr. Evans stated they need to submit a written report before the next meeting.

ORDINANCE NO. 118-08

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ANEXATION AGREEMENT IN ACCORDANCE WITH OHIO REVISED CODE SECTION 709.192, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Elliott made a motion to suspend the rules, seconded by Mr. Adams. In a roll call vote, Council voted as follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 118-08 DULY ADOPTED

ORDINANCE NO. 119-08

AN ORDINANCE FINDING A REAL AND PRESENT EMERGENCY AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A NEW GARGABE TRUCK WITHOUT FORMAL BIDDING AND ADVERTISING, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Smith asked if this is ok to do. Mr. Detty stated yes, under the circumstances, this is a true emergency, this done rarely. Mr. Smith asked if this was bid local. Mr. Sheward stated there are two providers in the state, specialized dealer. This will be a new truck.

Mr. Smith made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – absent
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 119-08 DULY ADOPTED

RESOLUTION NO. 26-08

A RESOLUTION AUTHORIZING A THEN AND NOW CERTIFICATE AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Evans asked if we had rented the generator and for how long? Mr. Sheward stated this had occurred in 2007, major malfunction, repair was done twice. Mr. Evans asked if a purchase order was issued. Mr. Humphreys stated the Auditor can not sign for this dollar amount. Mr. Sheward stated there was a dating issue. Mrs. Sexton stated the invoice was dated 12/31/07, the requisition was dated 1/3/08, and the purchase order was dated 1/10/08, this was done in November and December, email is attached. Mr. Evans stated there are two different figures listed, \$8806 and \$9708; we were not invoiced for the full amount.

Mr. Eric Brown stated that we paid invoices for Cummins last year at the same time. Where is that generator? Mr. Heath stated the water plant. Mr. Eric Brown requested further information; we paid Cummins twice last year. Mr. Evans asked if they exercised the generators regularly. Mr. Sheward stated yes. Mr. Evans asked about the pump at Jisco. Mr. Evans stated yes. Mr. Evans asked about the pump at the base of Jisco being usable. Mr. Sheward stated no.

CORRESPONDENCE

We have received a request for a TREX permit, Mr. Eric Brown is concerned that this will be turned into a sit down bar, residents should have a say. Mr. Speakman stated that this license was for carry out only. Mr. Eric Brown had no objection. Mr. Evans made a motion to grant, seconded by Mr. Eric Brown. In a voice vote, all Council agreed. Mr. Speakman stated we received notice from the Division of Liquor Control; Council has the right to object to any permits being reissued in 2009. Mr. Evans states he will discuss with Police Chief, he knows of one establishment that is an ongoing problem. Mr. Sheward stated we need the number of violations. Mr. Detty stated he will look into.

OLD BUSINESS

Mr. Sheward stated he had neglected to mention in his report that only one bid was received for the creek cleaning, Sexton's Excavating came in at \$69,000 for all creeks. There is \$22,000 available in the fund; we will be issuing a purchase order.


NEW BUSINESS

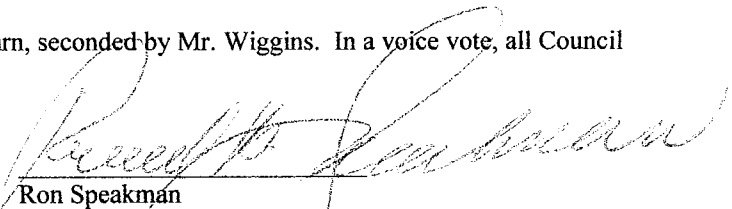
Mayor Heath stated there would be a ribbon cutting at the Evans Center for two new businesses at noon on December 1st, extending an invitation to all Council members.

Mr. Humphreys requested a special meeting for December 29th at 7:00 to pass any needed ordinances.

ADJOURN

Mr. Smith made a motion to adjourn, seconded by Mr. Wiggins. In a voice vote, all Council agreed. Council adjourned at 8:20 p.m.


Tera Brown
Clerk
Date 12/8/08


Ron Speakman
Council President
Date 12-8-08

JOHN L. "JACK" DETTY

Jackson City Law Director

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Jackson City Council

November 24, 2008

REPORT OF THE LAW DIRECTOR

The following is the Report of the Law Director:

- **VIDEO SERVICE PROVIDERS – Ordinance 108-08**
 - I have received some information from the Ohio Municipal League, but the information they provided is not very timely or useful.
 - I checked with Walter Drane, who compiles the City's Codified Ordinances. After examining the ordinances of other municipalities from Walter Drane, I have only a few changes in the proposed ordinances, No. 108-08.
 - The changes I would like to make are highlighted in blue in your copy in the packet.

- **OUTSIDE LEGAL COUNSEL FEES**
 - Do to the change that you made earlier this year where all outside legal counsel goes through the Law Director's Office and the Law Director's budget, I am happy to report that outside legal counsel fees for this year are approximately \$100,000 less than they were last year. Most of the fees spent this year were for the City's representation in the derailment suit, which is now dismissed.
 - In 2007 the total amount spent on outside legal fees was \$ 173,603.96, while in 2008 to date, that has been reduced to \$ 68,963.82. This is a savings to date of \$ 104,640.14.
 - I anticipate little additional expenditures on outside counsel for the remainder of 2008.

- Of those fees for 2008, the pay to outside counsel is as follows:
 - Shoemaker & Howarth - \$ 50,378.49
 - Some of this was to fulfill the contract the City had with S & H, which Law Director had no control over.
 - Chester, Wilcox & Saxbe - \$ 15,275.33
 - William C. Martin, Attorney - \$ 3,310.00

- **U S RAIL – LETTER IN RESPONSE TO US RAIL LETTER**

- A copy of a letter from Attorney Stephen Fitch, the attorney from Chester, Wilcox & Saxbe, who represented the City in the derailment suit is in your packets.
- This letter is self explanatory and rebuts the issues raised in Mr. Hall's previous letter.

- **ORDINANCE 118-08 – ANNEXATION ORDINANCE**

- Jim and Alice Bowling have a small parcel of land (.15 acres) in Jackson Heights which abuts other property they own which is in the City. They would like to annex this small parcel into the City.
- To avoid annexation hearings, and a long and drawn out process, the Revised Code has an expedited procedure for annexation in cases such as this. If the Township Trustees, in this case Lick Township, and the City enter into an annexation agreement, the process is expedited when filed with the County Commissioners.
- If you approve this annexation agreement, I will bring to the next Council meeting a Resolution stating the services the City will provide to the annexed parcel, which will be the services already being provided.
- I would request this be passed by suspending the three reading requirement, so Mr. and Mrs. Bowling can proceed with this matter.

- **EPA CONSENT DECREE**

- All parts of the Consent Decree that requires the City to issue effective court-enforceable compliance orders to Luigino's (now Bellissio) and OPM has been completed and complied with.
- This was a time consuming matter as the City's previous outside counsel was handling the matters.
- AS to the OPM agreement we had to go back to step one and start all over again. With help from the administration, the Wastewater Treatment Staff,

OPM officials, and the Ohio EPA we were able to get this important part of the consent decree requirements completed.

- One positive from all of this was I believe the City did open up new and positive communication with the Ohio EPA.
- Thanks to all who contributed and helped in this project.

• **RECORDS REMOVAL**

- With the help of Tom Woltz, IT Director, we continue with the investigation of the possible removal of records from the City.
- We are currently trying to obtain some additional information and going through records
- Once this is completed I will submit a report.

• **INSURANCE COVERAGE ISSUE**

- At the last meeting the issue was raised as to insurance coverage of some City employees.
- At the request of the Service Director an opinion was issued to him, and he can take whatever steps and actions he believes are appropriate.
- This is an administrative function, and should be handled by the administration.

• **AMP-Ohio – ERRORS & OMISSION**

- AMP-Ohio steadfastly refuses to consider submitting this under their insurance in any manner.

*I wish each of you a Wonderful and Happy
Thanksgiving.*

*If at any time you have any questions or would like
to discuss any issues with me please feel free to stop
by my office, or call me at 710-1214.*

John L. "Jack" Detty

FINANCIAL PROGRESS – 2008

NOTE: Here is a copy of some information I gave to the media on Friday morning specifically concerning our progress in moving the city forward financially.

First, by adjusting these utility rates we are financially stabilizing our systems so we can keep control of our utilities and provide these services at the lowest possible and responsible amount. We can't guarantee they will never be raised again; it has been that kind of irresponsible attitude that has placed us in this situation. But we will guarantee that we will continue to work endlessly to keep those rates as low as we responsibly can.

Second, we work daily to cut the costs our city incurs.

For example, as of August 31, our overall city budget is nine percent under budget for the year. At this rate, the city budget would come in at \$3,781,455 under budget, although there are several end-of-year expenditures that could affect this somewhat.

Almost all of the operations and maintenance funds in each of our major accounts are under budget for the year through August 31, which would be two-thirds through the year meaning naturally 67 percent of the budget would be spent by that time.

Some of these operation and maintenance funds, with the amount spent and followed by the amount under budget, are as follows:

FUND	% SPENT	% UNDER
IT Department	14	53
Mechanics	23	44
Sewer	30	37
Sewer Collection	30	37
Electric Utility	33	34
Law Director	35	32
Cemetery (2 funds)	35	32
Water Distribution	37	30
Water	42	25
Police	44	23
Mayor's Office	44	23
Water Utility	53	14
Street and Alley	60	7
Garbage	60	7
Garbage Utility	61	6
General Government	61	6
Electric ***	65	2

In the electric fund, one must remember the power we purchase comes from this fund and each percent saved equals \$110,050.

As for employee replacement, it is impossible to institute a no exceptions "hiring freeze" of city employees, although I can assure any hirings done will only be made to fill absolutely essential positions.

For example, we have hired two people, one to work the garbage truck and one as a police dispatcher. If we had not hired the police dispatcher, there potentially would have been times the police station might not have had a dispatcher on duty and if all officers present had to respond to a call, we would have no one to answer the phone or take a 9-1-1 call.

We have a position open in the street and alley department we have never filled. We trying to work out schedules so we do not have to fill an upcoming vacancy in the water plant, although we are required by law to have an operator at the plant at all times the plant is operating.

The previous mayor had one and one-half time more people working under him than me. He had a fulltime engineer-service director, a fulltime chief of staff and a part-time safety director. I have just one, Bill Sheward. But I would also be very remiss if I didn't point out the outstanding job Tom Woltz has done in helping us.

And almost everything Bill can't do, I try to absorb and have worked very hard at doing so. I truly believe although the previous mayor had one and one-half more people working under him than me, we are doing just as well if not better.

In addition, because of funding loss in our recreation department, I had to lay off our full-time recreation director and I will be assuming those duties myself while hiring separate program directors for each of our programs, meaning a savings to our city and obviously more work for me.