

JACKSON CITY COUNCIL
Regular Session
February 14, 2011
7:00 p.m.

Call to Order..... President Speakman
Pledge of Allegiance..... Mr. Smith
Opening Prayer..... Mr. Powell

Roll Call

Approval of Minutes

January 24, 2011

VISITORS

Tom Denegre, Energy Smart Program
Curt Wiggins/Jim Gilliland, Relay for Life
John Peters, Electric Issues

COMMITTEE REPORTS:

- Utility - Brown, Smith, Adams
- Budget & Finance – Adams, Powell, Elliott
- Police, Fire & Traffic - Smith, Colby, Elliott
- Service – Elliott, Colby, Fain
- Railroad – Fain, Smith, Powell
- Building/Recreation – Colby, Fain, Brown
- City Auditor
- Law Director
- Mayor
- Service/Safety Director

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

Minutes from
January 24, 2011
7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, January 24, 2011 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. Brown. The Prayer was given, led by Mr. Powell.

A roll call was taken as follows:

- Mr. Adams – present
- Mr. Brown – present
- Mr. Elliott – present
- Mr. Smith – present
- Mr. Fain – absent
- Mr. Powell - present
- Mrs. Colby – present

Mr. Smith made a motion to excuse Mr. Fain, seconded by Mr. Elliott. In a voice vote, all Council agreed.

Mr. Smith made motion to approve the January 10, 2010 meeting minutes, seconded by Mrs. Colby. In a voice vote, all Council agreed.

VISITORS

Tim Clapper, CT Consultants to discuss the consent decree, see attached. Mr. Sheward introduced Mr. Clapper, stating he had worked on the consent decree, 93 water line project, and downtown sewer rehabilitation project and was here to update council on the consent decree. Mr. Clapper stated this update was given at the request of Mr. Sheward, some major steps had been completed, and it's kind of faded away, there are still elements to be completed. We will keep collecting data; contain water samples to ensure we stay in compliance. The report is due the end of March; we have talked to the EPA, implementing steps and spend dollars wisely. We have several options with existing structures, certain requirements to be met. Council needs to be thinking about the next steps. Mayor Heath added the majority is rain water collection. Mr. Clapper replied yes. Mayor Heath asks we are not the only community. Mr. Clapper replied no, but we are one with a consent decree. Mr. Brown asks when is the implementation due. Mr. Clapper stated the report submitted in March will determine that information.

Mayor Heath gave his State of the City address, see attached.

Mr. Speakman reminded council of Robert Rules of Order, requesting they please review.

COMMITTEE REPORTS

UTILITY – No Report

BUDGET & FINANCE – No Report

POLICE, FIRE & TRAFFIC – No Report

SERVICE – No Report

RAILROAD – No Report

BUILDING/RECREATION

Mrs. Colby stated Ordinance 03-11 is for the dog park and requested a first reading. A meeting is scheduled for February 14, 2011 at 6:30 p.m. to discuss prior to the regular meeting.

CITY AUDITOR – No Report

LAW DIRECTOR

Mr. Detty was not present but submitted a written report, see attached.

MAYOR – No Report

SERVICE DIRECTOR

Mr. Sheward stated that the 2010 Building Permit report was in the packets, see attached and council was provided information in regards to the Energy Smart Program, there will be a presentation at the next meeting. He reminded council of the extreme snow conditions, currently 100 tons more salt has been used this year, but we should have enough. Mr. Speakman stated that New York City spent \$40 million on one snow. Mr. Sheward replied New York City \$1 million per inch of snow. Mr. Brown asks if the price of salt was still double. Mr. Sheward replied it has come down, just not as low. Mr. Brown stated in the packet was a report on the 1000' of sidewalk installed by CHIP on Broadway Street, adding this bid did not come through council. He had received a complaint from a bidder; he felt it was not being built to the standard in the specs. Mr. Sheward stated the city observed, and if the upset party would like to speak with him, please call. He went on to say the county prepared the specs and bid the project, the city did pay about \$1000 to complete the project. Mr. Brown stated the complaint concerned the gravel base, he felt they skimmed or used a different type, and that was the only complaint he has heard. Mr. Sheward stated he wasn't there everyday, but city employees did observe. Mr. Sheward stated Ordinance 4-11, is for the SCADA project, there was a Scribner's error, it was \$900 short, this is a correction, need to pass tonight to meet the bid.

Mr. Smith stated he was contacted by someone in regards to local insurance coverage, the bid process, guidelines. He spoke with Mr. Detty and he suggested this go to committee. This is for building, municipal insurance, just looking for guidance. Mr. Speakman asks for volunteers for a special committee, Mrs. Colby (chair), Mr. Smith and Mr. Brown volunteered. Mr. Sheward stated the bid was for three years, not sure when it due. Mr. Smith stated he just heard about this Friday; see where we are at, do we solicit bids or post, make fair for all, guidelines and coverage. Mrs. Colby stated in the past, she has been contacted.

Mr. Speakman asks for an amendment per Mr. Detty on Ordinance 01-11, Section #1, to replace "an amount not to exceed" with "an estimated amount of", Mr. Smith made a motion to amend, seconded by Mr. Elliott. In a voice vote, all members agreed.

ORINANCES AND RESOLUTIONS

ORDINANCE NO. 111-10

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND THE OHIO ASSOCIATION OF PUBLIC SCHOOL EMPLOYEES, OAPSE/AFSME LOCAL 4, AFL/CIO AND ITS LOCAL #410, AND DECLARING AN EMERGENCY.

Third Reading

Mrs. Colby asked if this was the OAPSE, and a letter in regards to positions. Mayor Heath stated they are in process; Mr. Rasp doesn't officially retire until spring. Mrs. Colby stated the contract doesn't match, is this SERB or union process. Mayor Heath stated he spoke to both unions, all in agreement with no opposition. Mr. Riegel agreed.

- Mr. Adams – yes
- Mr. Brown – yes
- Mr. Elliott – yes
- Mr. Smith – yes
- Mr. Fain – absent
- Mr. Powell – yes
- Mrs. Colby – no

ORDINANCE NO. 111-10 DULY ADOPTED

ORDINANCE NO. 136-10

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO AND LOCAL #3619 AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, OHIO COUNCIL 8, AFSCME, AFL-CIO, AND DECLARING AN EMERGENCY.

Third Reading

Mr. Powell asked the Mayor about an understanding, agreement with Mr. Humphreys. Mayor Heath stated Mr. Detty wrote something to solidify, they will be meeting with Mr. Humphreys to sign, and this can be resolved. Mrs. Colby stated they ask the union to sign; they did not, this means nothing.

- Mr. Adams – yes
- Mr. Brown – yes
- Mr. Elliott – yes
- Mr. Smith – yes
- Mr. Fain – absent
- Mr. Powell – yes
- Mrs. Colby – no

ORDINANCE NO. 136-10 DULY ADOPTED

ORDINANCE NO. 01-11

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR PAVING A PORTION OF STATE ROUTE 139 LOCATED IN THE CITY OF JACKSON, OHIO, AND DECLARING AN EMERGENCY.

Second Reading

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

- Mr. Adams – yes
- Mr. Brown – yes
- Mr. Elliott – yes
- Mr. Smith – yes
- Mr. Fain – absent
- Mr. Powell – yes
- Mrs. Colby – yes

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

- Mr. Adams – yes
- Mr. Brown – yes
- Mr. Elliott – yes
- Mr. Smith – yes
- Mr. Fain – absent
- Mr. Powell – yes
- Mrs. Colby – no

ORDINANCE NO. 01-11 DULY ADOPTED AS AMENDED

ORDINANCE NO. 02-11

AN ORDINANCE AMENDING ORDINANCE NO. 101-92, MAKING AMENDMENTS TO THE REGULATIONS OF THE CITY MUSEUM BOARD, AND DECLARING AN EMERGENCY.

Second Reading

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

- Mr. Adams – yes
- Mr. Brown – yes

Mr. Elliott – yes
Mr. Smith – yes
Mr. Fain – absent
Mr. Powell – yes
Mrs. Colby – yes

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

Mr. Adams – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mr. Fain – absent
Mr. Powell – yes
Mrs. Colby – yes

ORDINANCE NO. 02-11 DULY ADOPTED

ORDINANCE NO. 03-11

AN ORDINANCE ESTABLISHING A DOG PARK IN THE EDDIE JONES PARK.

First Reading

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

Mr. Smith stated we need to take a serious look at waste removal, John Peters has provided some information. Mrs. Colby stated we have scheduled a meeting prior to the next regular meeting to review, will we have information before that to review.

Mr. Smith stated an issue with the area being in flood plain. Mr. Sheward stated the fact is to establish, doesn't mean exact location, size, etc., etc., all decisions are necessary before passing.

ORDINANCE NO. 04-11

AN ORDINANCE AMENDING ORDINANCE NO. 103-10, FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDING THE CONTRACT FOR THE ELECTRICAL SCADA (SUPERVISORY CONTROL AND DATA ACQUISITION) PROJECT TO SURVALENT TECHNOLOGY, 2600 AREGENTA ROAD, MISSISSAUGA, ONTARIO, CANADA, AND DECLARING AN EMERGENCY.

First Reading

Mr. Brown made a motion to adopt the ordinance, seconded by Mr. Smith. In a voice vote, all members agreed.

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

Mr. Adams – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mr. Fain – absent
Mr. Powell – yes
Mrs. Colby – yes

CORRESPONDENCE

Request from Ohio Division of Liquor Control to transfer a license from Midland Food Services LLC to Pizza Hut of America Inc. Mr. Adams made a motion to approve, seconded by Mr. Brown. In a voice vote, all members agreed.

OLD BUSINESS

NEW BUSINESS

Mayor Heath announced the passing of Jim Armstrong, good friend and a good citizen of the community, he served 13 consecutive terms on council, was instrumental in the utility system, with emphasis on electric and the hydro project. Our sympathy goes out to his family.

ADJOURN

Mr. Smith made a motion to adjourn, seconded by Mr. Adams. In a voice vote, all Council agreed. Council adjourned at 8:00 p.m.

Tera Brown
Tera Brown
Clerk
Date 2-14-11

Ron Speakman
Ron Speakman
Council President
Date 2-14-11

2010 BUILDING PERMIT REPORT

RESIDENTIAL

COMMERCIAL

	<u>VALUATION</u>	<u>COST OF PERMIT</u>		<u>VALUATION</u>	<u>COST OF PERMIT</u>
NEW CONSTRUCTION	\$617,135.00	\$2,550.00	NEW CONSTRUCTION	\$170,000.00	\$600.00
GARAGES / CARPORTS	\$41,500.00	\$240.00			
STORAGE BUILDINGS	0				
ADDITIONS	\$16,800.00	\$180.00			
REMODELING	\$71,500.00	\$255.00	REMODELING	\$1,419,333.00	\$1,990.00
DECKS / PORCHES	\$2,000.00	\$135.00			
FENCES/POOLS (\$8,755.00 / \$26,000.00)	\$34,775.00	\$258.00			
DEMOLITION	N/A	\$30.00	DEMOLITION	0	
SIGNS	0		SIGNS	\$162,800.00	\$585.00
CURB CUTS	\$4,600.00	\$90.00			
TOTAL	\$788,310.00	\$3,738.00	TOTAL	\$1,752,133.00	\$3,175.00

TOTAL VALUATION FOR BOTH COMMERCIAL & RESIDENTIAL / TOTAL PERMIT FEE FOR BOTH COMMERCIAL & RESIDENTIAL
\$2,540,443.00 / \$6,913.00

44 Permits issued
 1 Permit Voided

By:

[Signature]

JOHN L. "JACK" DETTY

Jackson City Law Director

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Jackson, Ohio 45640

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Fax: 740-286-3492

jdetty@jacksonohio.us

Jackson City Council

January 24, 2010

REPORT OF THE LAW DIRECTOR

The following is the Report of the Law Director:

• **UNAVAILABLE TO ATTEND MEETING**

- Due to a previous family commitment I am unable to attend the Council meeting on January 24, 2010.

• **ORDINANCES/RESOLUTIONS**

- Ordinance No. 01-11 is scheduled for a second reading. This is the Route 139 repaving project. The question arose as to if the amount is more than \$53,668.00, can the extra amount be paid as the ordinance is written. I would suggest that the Ordinance be amended in Section One, last sentence, as follows:
 - Eliminate the phrase "an amount not to exceed" and put in its place the language "an estimated amount of".
- Ordinance 03-11 is an Ordinance authorizing the establishment of a Dog Park within the City, specifically at Eddie Jones Park on Harding Avenue.
 - I would suggest a first reading and sending the legislation back to committee to make sure the Ordinance is how the committee would like for the matter to be addressed.
- Ordinance 04-11 is an ordinance to correct an error in Ordinance No. 103-10. Ordinance 103-10 was the bid for the SCADA which was awarded to Survalent Technology. The bid submitted was in the amount of \$229,900.00. However, the ordinance was for \$229,000.00, which is \$900 short. This was not discovered until approximately a week or so ago. In order to correct this I am submitting Ordinance No. 04-11.

- **PROPOSED AFSCME AGREEMENT**

- My opinion concerning the Auditor's rights under the proposed AFSCME agreement was presented at the last meeting. As a result of that opinion Council requested that the Administration obtain a Memorandum of Understanding from the bargaining unit to clarify the Auditor's authority as presented by a letter from the Mayor. I have been contacted by the bargaining unit and they will not agree to executing a Memorandum of Understanding.
- The ordinance presenting the contract is up for a third reading tonight. The ordinance must be voted upon at tonight's meeting.
- If the agreement is rejected then the negotiations would begin anew, from scratch.
- It is my opinion that the Mayor has, by his letter, delegated to the City Auditor all the City's rights under the agreement concerning the employees in the Auditor's. If the administration were to revoke that letter I cannot state that the Auditor would have such authority.
- In order to clarify the Mayor's intents to designate the City Auditor as the city official having authority under the agreement as to the Auditor's Office, I have drafted an agreement between the Mayor and the City Auditor, and it is my understanding this will be agreed to and executed by the Mayor and City Auditor.

- **RAILROAD – Fenton Rigging v US Rail and City Suit**

- A pretrial on this case is scheduled for January 27, 2011.
- Here is a good chance this case will be sent to the Jackson County Common Pleas Court.
- I will keep you informed as this matter progresses.

- **CITY v U.S. RAIL**

- A proposed Standard Lease Agreement is in final draft form. This is being reviewed by experts to make sure the proposed lease is a viable document.
- As soon as we receive word from experts we will share this with Council.
- I will keep you informed as this matter progresses.

- **JONES WILL**

- I have been in touch with the person in charge of the estate. At his request we have sent information to him so the City's bequeath can be reviewed.
- I am not sure how long the process will take, but as information is received I will share that information with you.

- **OPINION RE POTENTIAL CONFLICT OF INTEREST**

- At the last meeting an issue arose as to whether a council member who serves on the Museum Board may participate and vote on legislative matters involving the Museum.
- I have provided an opinion directly to the member directly affected by this issue. That member can chose to share that opinion as he deems appropriate.
- It is my opinion no conflict exists. So long as the council member is not receiving a financial interest from the legislation, then the fact he is a member of the Museum Board has no effect on his being able to participate in deliberations and voting on the legislation.
- I would also note the council member involved was appointed to the Museum Board by the Mayor, with consent of Council.

- **MUNICIPAL COURT**

- Municipal Court continues to remain a busy place.
- Jail space and funding are major issues in dealing and handling cases.
- As a reminder, the next time the Police, Fire and traffic Committee meets I would like to be included on the agenda to update the committee on what is happening in Municipal Court, and the obstacles I face in prosecuting the cases in the court. There is no rush for a meeting as what I want to report is informational only. Just please place me on the agenda the next time a meeting is necessary and set.
- I would like to present you with an unofficial recap of proceedings by the City in Municipal Court for the year 2010. This is based upon information received from the Court, and put together by my office. These numbers give a general recap of proceedings involving City of Jackson cases:

- Number of cases closed/disposed in 2010 980
 - Dismissed 236
 - Guilty 744
- Fines:
 - Total Amount Imposed \$ 103,217.00
 - Amount Suspended by Court 9,275.00
 - Net Fines Imposed\$93,842.00
- Jail Days Imposed 4,602
 - NOTE: Most dismissals are a result of persons completing a court ordered diversion program; a victim requesting charges be dismissed; a victim failing to appear to prosecute a case; minor charges dismissed as part of a plea to a larger related charge.
 - NOTE: If my math is correct, the jail days actually imposed would equate to the city having 12.60 persons in jail every day of the year.

• **MISCELLANEOUS**

- My intern is back and working about 2 – 3 days per week. He should be with us until March. This should help my office out in getting to some projects.

I thank you for your service and willingness to serve. 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

City of Jackson
Update on Consent Decree
January 24, 2011

1. Consent decree is a a binding document with the Attorney General of the State of Ohio agreeing to undertake specific remedies for past actions, and agreeing to specific penalties for failure to comply.
2. Original agreement signed with the State 2007.
 - a. Requires improvements at the Wastewater Treatment Plant
 - b. Requires improvements to the Sanitary Sewer Collection System.
 - c. Requires the implementation of a Sanitary Sewer Overflow Response Plan (SORP)
 - d. Requires the implementation of a Capacity, Management, Operation, and Maintenance (CMOM) plan
 - e. Requires the implementation of a System Evaluation and Capacity Assurance Plan (SECAP)
3. Wastewater Treatment Plant
 - a. The improvements at the Treatment Plant have been completed and are in operation.
 - b. Funding for these improvements was provided by an EDA grant and local funding.
4. Sanitary Collection System
 - a. Extensive improvements to the collection system in the downtown area have been completed.
 - b. Funding for these improvements was provided by an EDA grant and local funding.
5. CMOM plan
 - a. The CMOM for the City sanitary sewer system has been submitted to OEPA
 - b. The required recordkeeping policies and procedures have been implemented.
6. SECAP Implementation Schedule
 - a. The SECAP Implementation Schedule is required to be submitted to OEPA before March 30, 2011.
 - b. This report will document the results of the completed improvements.
 - c. These results will be compared to the recommendations of the studies performed prior to recent construction projects.
 - d. The final requirement of this document is to outline the next steps in the continuing improvement of the sanitary collection and treatment systems.

7. SECAP goals

- a. The sewer system evaluations performed prior to these recent improvements recommended the construction of a flow equalization basin. This basin will provide for treatment of an increased quantity of sewerage during rain events.
- b. This is accomplished by providing storage for the excess water until the storm event subsides, and then treating the excess water at the wastewater plant. This eliminates the need for increasing the treatment capacity of the wastewater facility.
- c. The current sizing for the wastewater plant took into account the construction of an equalization basin. The detailed sizing of this basin was delayed until after the renovations to the downtown sewer system. This will allow the basin to be sized based upon flow data collected after the downtown area was rehabilitated.

8. Requirements to implement the SECAP recommendations

- a. Finalize the flow monitoring data by mid-2011
- b. Complete the sizing of the equalization facility
- c. Provide the funding for the design and construction of the basin.

9. Once the SECAP implementation schedule is in place and the actions are completed.

- a. The remedial actions required by the consent decree for system improvements are complete.
- b. The City is still required to maintain compliance with the discharge parameters set OEPA. The City is subject to penalties for non-compliant occurrences.

10. As part of the equalization improvements, the WWTP personnel are considering the use of existing tankage to provide the necessary stormwater storage on their Plant site. This will reduce the amount of new storage required, but will necessitate the expansion of their sludge handling facilities. The most cost effective approach to the improvements will need to be addressed once the final sizing of the equalization basin is established.

11. OEPA has been revising the regulations for land application of sludge across the state. These changes have resulted in a need to increase the sludge storage volume on the Plant site. The operations personnel are investigating the needed improvements, and proposing ways to reduce the volume of sludge being applied. An increase in the number of drying beds will increase the drying time, and reduce the volume of sludge to be land applied. An increase in storage capacity will also reduce the overtime costs required to apply the material in accordance with the revised OEPA application parameters.

12. The Plant personnel are considering the repurposing of two existing structures that have seen minimal use after the recent improvements. These buildings are the Sand Filter building and the Thickener building. During the last inspection by OEPA, they spoke favorably in regard to taking these buildings off line. The Sand Filter building will require a considerable amount of renovation to become a viable treatment component. Since the filters are no longer necessary to meet permit limits, it seems appropriate to utilize the renovation dollars in a more efficient manner. It is recommended that during the evaluation of the equalization needs at the Plant site, the reuse and/or the demolition of these structures be included in the considerations. Formal acceptance of these changes by OEPA will be required.

STATE OF THE CITY ADDRESS - 2011

Council president Speakman, city council members, my fellow citizens.

I report to you tonight on the state of our city, the state of our city that is in my hands, your hands, our hands, our citizens' hands, in the hands of any person, industry or business that has any connection to our great city and benefits from it.

The success and failure of any city is a team effort, everyone working toward a common goal. Although the effort to take us there might travel different directions, the only desire of each person sitting at this table is to do what is best for our citizens. I know that is my solemn vow.

While the state of our city might individually lie in the eyes of the beholder, I firmly believe as a whole there are definitive facts that clearly prove we are living in a community that is moving in the right direction, one that will serve our citizens' best interests today as well as tomorrow.

And tomorrow is just as important as today, because the present will quickly become the past if there is no future to look forward to. Those who are destined to focus on the past might well be pre-destined not to succeed in the future, which is why we must keep looking forward for the benefit of all of our residents.

While the challenges we face are still many, I believe the state of our city is good with a stability and cost of services for our residents many cities in our region can only dream of. I firmly believe our community is now in a position where we can stand toe to toe with any community in these most difficult and challenging economic times.

While other cities in our region are battling state takeovers, recall elections and ballot rejections, our citizens stood strong in approving our ballot measure to renew our city's cemetery levy. While others must deal with the negative, we can again focus on the positive.

We remain one of only two cities in Ohio out of 192 that does not have a city income tax. The other, though, has more than nine mils of property tax just for police protection, while we have none. One neighboring city has more than 15 mils of property tax to provide city services in addition to a city income tax, we have but 3.5 mils, two mils for our fire department and 1.5 mils for our cemetery.

While everyone is always going to desire lower utility rates, the reality is a certain level of income must be met to sustain operations or state agencies will assume control and remove those decisions from our local hands. We must remember while we wish we could pay less, our minimum water rate, is still only half of that charged by Jackson County Water Company.

Less than 20 percent of what it takes to operate and upgrade our city's electrical system comes from our city's residential users.

Our sewer rates are hindered by strict EPA regulations that deal with the city having to discharge into such a small body of water as Little Salt Creek. As a result of EPA mandates over the years, our cost of providing that service has risen and this year, unfortunately, we will have to look at our first rate increase in almost ten years.

So, while we certainly have issues that must be dealt with to make our city the most cost effective and cost efficient it can be for our citizens, when compared with the overwhelming challenges other cities are facing today, hopefully our hard work as an administration and a council over these past three years has restored the stability to our city that leaves us one step ahead rather than one step behind.

I believe we have brought our city to this level of stability because we have worked from the facts rather than the emotions. We have made decisions based on responsibility, and not been compromised by other means. We have made the hard decisions and our community, both for today and in the future, is better for it.

Obviously, the foundation of this, as it is with every community, lies in its utility systems. Water treatment and distribution, wastewater treatment and collection, and electric distribution are services we must not take for granted. They are very complex systems that take time, effort and resources to enable them to successfully serve a community, its residents, its businesses and its industries.

We might take for granted when we turn on a faucet, water comes out. But there are days our water plant produces as much as two million gallons of water and must make sure every drop of that two million gallons is safe to consume and use, two million gallons and every drop just right.

This is a huge responsibility and one our water department has been excellent at, and it doesn't happen by accident or just by one or two employees.

Each day, our city treats on average about two million more gallons of sewage, and each drop of that must be treated to a certain level to meet strict legal requirements and to preserve our environment and the health of our residents. Again, we should be proud of the effort our wastewater department puts forth in treating this volume every day, keeping us legal and protecting our health, and this also doesn't happen by accident.

Of course, it is one thing to treat the water and another to deliver it to our 3,000-plus customers as well as removing the wastewater we dispose of. The water distribution/wastewater collection department has the responsibility to keep the city's nearly 200 miles of water and sewer lines operating, which is more than one million feet with some lines more than 100 years old. Every one of those one million feet must be functioning properly and that is not done with just one or two men or by accident.

Many times we think nothing of it when we turn on a switch and the light comes on. But I don't even want to think of what it takes to get that electric from a plant to your home or business.

Yet it gets there, every time you need it and when the weather is frightful outside and other communities are told they will be without electric for days, how many times do we in Jackson have every customer with service, safe and warm in our homes. It doesn't happen by accident and the employees of that department truly deserve praise for both their preventive maintenance and responding whenever needed. The success of our electric service I believe speaks for itself.

But there are so many other aspects to our city we need to acknowledge as well.

Tragically, we live in a society today that is threatened by crime at a rate potentially unprecedented in our history. The lure of drugs to our young, those who feel it is easier to steal than to work, and a growing percentage who view crime as a profession rather than a sin against society.

That is why I feel we are very fortunate in Jackson to have the quality police officers that we do patrolling our streets every day. Their job is not easy, never knowing from one call to the next if there is going to be someone lurking with a gun, knowing with every call their lives could be on the line, knowing they are usually dealing with tragic and emotional situations in which the officers have to make split-second decisions to bring order to the issue at hand.

We possibly have one of the more experienced police departments in our region, and that is a very good thing. That experience helps them to make those split-second decisions correctly, to better ascertain what action is warranted with each situation, and resolve it in a more orderly fashion, even though it might not be to everyone's satisfaction.

The judgment and actions of a police officer seemingly are always going to be questioned because of the situations they are forced to deal with, but I feel we are fortunate to have the quality of protection we do, a protection that has potentially kept our rate of serious crime lower than other communities. Protecting you from crime and harm, again, doesn't happen by accident.

An arm of our law enforcement team is law director Jack Detty, bringing forth a number of cases to our Municipal Court last year to punish those who have wronged our community and its laws.

Our fire department proves their worth every time the door goes up and the trucks roll out. They put their lives on the line each time they are called upon to protect us, and with the small stipend they receive, we are indebted for the devotion they provide.

Our utility office processed almost \$22 million in utility income and fees last year, and collected more than 100 percent of what we billed as a result of penalties and past due collections. This is a collection percentage any business would simply classify as outstanding.

Whether it be summer or winter, autumn or spring, our city's street and alley department keeps our community clean and looking nice. In the summer, our parks are used heavily by families and groups, and it is nice to go to a well-mowed, well-kept park to relax.

In the winter, when the snow comes and other communities complain of streets not being cleared, our residents are on the move because of the outstanding effort your employees put forth. Keeping the streets cleared of snow doesn't happen by accident.

Ray Rasp has done an outstanding job for the citizens of Jackson as the supervisor of these men, and he will certainly be missed as he retires from city service. But the standard of excellence he has established will be maintained.

Each day, our garbage department removes more than ten tons of garbage from our community, keeping it clean and healthy as this year almost 5,000 tons of garbage will be taken the landfill by our garbage department.

As mentioned previously, the residents of our community rewarded the outstanding work of our employees at the Fairmont Cemetery by giving their support to the continuation of our 1.5 mil cemetery levy. This is our final way to say thank you and goodbye to those who have been so gracious with their support and efforts throughout the years.

With all of the burdening state and federal regulations and number of telephone inquiries a mayor's office receives, I am blessed to have the administrative staff I have. With the record-keeping requirements and other legal standards that must be met, it is a much more burdensome responsibility than anyone realizes.

This past year, our annual audit received the best rating we have received in almost a decade. While it is certainly a city-wide effort to make this happen involving every employee, the responsibilities of our auditor's office are huge and they are to be commended for the work they did to make this audit one we can all be proud of.

Our city recreation program has undergone numerous changes since I became mayor. We have reduced the costs of operating our recreation department by more than 80 percent, but I believe we have a stronger summer program now for our youth than at anytime in recent years.

As a result of having the new third field at our McKitterick Park Complex at High and Main streets, it will allow us to increase our activities there and move our girls youth softball program to the Griff Field.

This will open up the Harding Avenue Eddie Jones Park to adult softball both during the week and on weeknights. This past year featured the first organized softball in Jackson in nearly 50 years and had sanctioned teams with nearly 200 players and six sanctioned tournaments.

This added thousands of dollars to the local economy as well with uniform and equipment purchases, the hiring of 17 umpires, food and gas bought locally, and a percentage of the money earned returned to the city recreation program.

With these changes, both our youth and young adult programs should only improve, making for another huge improvement in the quality of life our residents already enjoy and another plus in our effort to bring more employment to our area.

Our Hillcrest Swimming Pool had one of its most successful seasons in recent history this year, due in large part to the dedicated efforts of our lifeguards. We hope to make additional improvements this year to make it even more popular with our citizens, especially our young people.

Again, I must thank Tom Woltz for his contributions to our city this year. While his title might read Internet Technology Coordinator, he does so very much more for our citizens and has truly helped us in finding ways to keep our utility costs lower and save our citizens thousands and thousands of dollars. He is one of our city's most valued employees.

But most of all, I thank my service-safety director Bill Sheward. Although he might not be flamboyant all of the time, he has been the daily glue to make sure employees are doing their job to the best of their ability, the financial requisitions approved are the ones in the best interest of our citizens, and helping to develop an overall strategy to ensure our city has a strong future.

His job is not an easy one by any means, it takes a great deal of knowledge in a great many areas, and as the city's primary enforcement officer it is not a popular one at times either. I am very proud, though, that Bill has been on my team.

Of course, none of these accomplishments would be possible without the cooperative efforts of you, the members of our city council.

Each of us has a common goal, we just don't always agree on how to get there. The definition of that is called democracy, and through that democratic process, though, we are able to find, I believe, the best road to travel for our citizens. I believe our cooperative efforts, and the professionalism used in reaching those decisions, have served our citizens well this year.

But if we are going to succeed as a community, it is going to take more than me and you to make that happen. In a time when people have indicated they want to do more on their own with less government, it is going to take a team effort from not only those of us in this room, but every resident of our community if we are to reach the goals we so desperately desire.

For example, every person would like to see their utility costs decrease, as would every one of us in this room, as well as our costs of providing the service decrease. Yet, it is imperative we maintain the service at a level that protects the health, safety and welfare of our residents.

When I became mayor, it was the desire of my administration, as well as those on city council, to try to use our employees to the best interest of the citizens without having to enforce any involuntary layoffs as well as providing additional services with no extra employee costs.

One way of doing this was when I reinstated the city-wide recycling program and eliminated a position in the utility billing office and used that employee for the recycling program.

Last year, the city took in more than \$20,000 from the recyclable items we sold to the Solid Waste District. That is \$20,000 more than we would have had by leaving the workforce intact and not having the program.

We recycled more than 150 tons of various items, and saved another \$4,000 in landfill costs while doing the best job of any city in our four-county area in protecting our environment for the future.

This only proves then that the better we do in the future, the better it is for all of us, both financially and environmentally. In matter of fact, if each residence in our city recycled just 30 percent of the items they dispose of, at the current rate, we could gain enough income and savings to pay for cost of the employee and the program.

While other cities charge their residents to provide recycling services, we can do it for no charge if each residence would just recycle 30 percent of their discarded items. It might be something to think about.

With the tremendous efforts our school system has put forth to promote recycling, maybe it can become a meaningful family project for the families of our community.

The biggest cry, though, comes from the price we charge for our electrical service, as it is no matter where you live in America. Again it should be remembered that more than 80 percent of our sale of electric goes to customers other than our residents. Thus, more than 80 percent of what it takes to keep up the system and make improvements so it can be totally reliable for our residents, comes from other sources.

To further assist our residents, though, we will be initiating this year a program through the cooperation of American Municipal Power called the Energy Smart program. This will be a dedicated educational program to help educate our citizens on ways they can save electric use at home without compromising their quality of life or what the electric is used for now, educating them on the most energy efficient appliances and how to discard those which are energy inefficient.

There will be some financial benefits for local residents as well.

There are a number of ways we can reduce utility costs without compromising the quality of life those utilities provide, but it is going to take more than my administration or this council for it to happen, we have to have the help of our citizens because conservation of the customer's utilities, and ultimately, what they pay, potentially lies more in their actions than it does in ours.

Hopefully, as a team, we can make all our utility costs as low as they can be for everyone.

While saving pennies, though, is important, it does not mean as much if a family is not making the dollars, and that is why the most important thing is having a solid economic foundation in our community with the employment needed to sustain that economy.

With our experience and the team we have in place, we have placed our community in a position I think others would like to be in. It doesn't mean we will always be successful, so many things are out of our control, but economic development is an overall strategy of patience and commitment and hopefully rewards that ultimately last us for generations to come.

We are blessed to live in the community we live in. It can always be better, and we strive for that every day. But as I alluded to, our challenges fortunately don't meet the levels other are burdened with.

We are blessed to have the city employees we have. While I singled out our many departments, as a whole each of our three unions have agreed to no pay raises for each of the next two years to help stabilize the economy of our community, something that has never happened before in our community's history involving all three of our employee unions.

This will be a savings of almost one-half million dollars when compared to the salary increases granted in the previous contracts. This is a tremendous gain for our community and proves the commitment our employees have for their fellow citizens.

Yes, our employees are well compensated for the duties they perform, but they also care very much for this community and its citizens, and the quality of their work demonstrates that on a daily basis in keeping us safe and healthy from the many dangers the world presents today.

Because of the financial stability we in this room have restored to our city, because of the quality people we have who serve our citizens, because of the hopes and dreams of all of our residents and their desires to accomplish them, we have a future we can now look forward to, a future that has potential, but potential that can only be gained by the effort we all put forth, as a governmental entity and as residents, to attain it. How much we gain might very well depend on how much we want it and how much we are willing to sacrifice and commit to make it happen.

We have a product that is easy to sell, it is called the city of Jackson. We have the ability to be at the forefront but must be cautious and committed to do so. We can see the future and it is 2011 and beyond, not anything we have endured or done in the past.

The future will be here before we know it, and the present will be but a memory. The state of our city is good, one that is moving forward and not turning back the clock, one with the potential of a promising future and not a shackled past.

I look forward to our future with you, this council, and our residents. I look forward to improving our community in a way our forefathers would be proud of and pleased that their sacrifices enhanced all of our lives.

Yes, the future is in our hearts and in our hands. How we mold it from here will be up to all of us.

May God bless our community and I thank all of you for the greatest honor on earth. I thank you from the bottom of my heart.

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

69512790155 <small>PERMIT NUMBER</small>		TRFO <small>TYPE</small>	PIZZA HUT OF AMERICA INC DBA PIZZA HUT 010942 DRIVE UP WINDOW 800 E MAIN ST JACKSON OHIO 45640
02 01 2010 <small>ISSUE DATE</small>			
12 10 2010 <small>FILING DATE</small>			
D1 D2 <small>PERMIT CLASSES</small>			
40 <small>TAX DISTRICT</small>	022 <small>RECEIPT NO.</small>	B	F04329

FROM 12/14/2010

59272010205 <small>PERMIT NUMBER</small>			MIDLAND FOOD SERVICES LLC DBA PIZZA HUT 010942 DRIVE UP WINDOW 800 E MAIN ST JACKSON OHIO 45640
02 01 2010 <small>ISSUE DATE</small>			
12 10 2010 <small>FILING DATE</small>			
D1 D2 <small>PERMIT CLASSES</small>			
40 <small>TAX DISTRICT</small>	022 <small>RECEIPT NO.</small>		



MAILED 12/14/2010

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/14/2011

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL

WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B TRFO 6951279-0155

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

Debra Brown

(Signature)

(Title) - Clerk of County Commissioner

Clerk of City Council

Township Fiscal Officer

1-24-11

(Date)

CLERK OF JACKSON CITY COUNCIL
145 BROADWAY ST
JACKSON OHIO 45640-1656

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT #	

OHIO DEPARTMENT OF COMMERCE
 DIVISION OF LIQUOR CONTROL
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 http://www.com.ohio.gov/liqr

OFFICER/ SHAREHOLDERS DISCLOSURE FORM

SECTION A. (This form must accompany all applications of a corporate business entity)

Name of Corporation <u>Pizza Hut of America, Inc.</u>	DBA Name <u>Pizza Hut</u>	
Permit Premises Address <u>See Attached</u>	City, State <u>See Attached</u>	Zip Code <u>See Attached</u>
Township, if in Unincorporated Area <u>N/A</u>	Tax Identification No. (TIN) <u>48-0895936</u>	

SECTION B.

1. Is stock publicly traded? YES NO
 If "YES", indicate exchange _____ & Do NOT complete SECTION D

2. Does any stockholder own 5% or more shares? IF YES, complete SECTION D. YES NO

3. Total Number of shares issued 1,319

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement enforcement action, or collect taxes.

SECTION C. List the top five (5) officers of the captioned corporation. If an office is NOT held please indicate by writing NONE.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO <u>NONE</u>	<u>NONE</u>	<u>NONE</u>
2) President <u>John J. Murpny</u>		<u>7/14/56</u>
3) Vice-President <u>Julie L. Shultz</u>		<u>9/16/57</u>
4) Secretary <u>Julie L. Shultz</u>		<u>9/16/57</u>
5) Treasurer <u>John J. Murphy</u>		<u>7/14/56</u>

SECTION D. Stockholders holding 5% or more outstanding shares. Note: If you answered Question 1 YES, do not complete this section

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191. If none, please indicate by writing "NONE".

1) Stockholder's Name <u>PIZZA HUT, INC.</u>	Social Security No. (if Individual)	NUMBER OF SHARES HELD (NOT PERCENTAGE) <u>1,319</u>
Residence Address <u>14841 Dallas Parkway</u>	Tax Identification No. (if applicable) <u>95-2486533</u>	
City and State <u>Dallas, Tx</u>	Zip Code <u>75254-7552</u>	
Telephone No. <u>972/338-8675</u>	Date of Birth <u>N/A</u>	
2) Stockholder's Name	Social Security No. (if Individual)	
Residence Address	Tax Identification No. (if applicable)	NUMBER OF SHARES HELD (NOT PERCENTAGE) <u>249</u>
City and State	Zip Code	
Telephone No.	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)

STATE OF ~~XXXX~~

COUNTY ss

I, John J. Murphy being first duly sworn, according to law, deposes and says that he/she is (Title) President of the Pizza Hut of America, Inc., a corporation duly authorized by law to do business in the State of Ohio, and that the

statements made in the foregoing affidavit are true

(Signature) [Signature] (Print Name and Corporate Title) John J. Murphy, President

Sworn to and subscribed in my presence this 26th day of October, 2010

Paula D. Childers 2/6/2014
 (Notary Signature) (Notary Expiration)
 PAULA D CHILDERS
 My Commission Expires
 February 16, 2014