

Wilmington City Council met in special session on Wednesday, August 3, 2011, at 9:00 a.m., with President Pro Tem Sandy Mongold presiding.

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

Assistant Chief Duane Weyand was also present.

President Pro Tem Mongold: Mary Kay, we will turn it over to you.

Finance: Mary Kay Vance: Before you, on the first item, are supplementals. The first item is a General Fund supplemental "Other Professional Services – Indigent Burial." We have one indigent burial that has come to our attention. Something through the coroner and Duane Weyand. I don't even know how to categorize it. It was a police issue.

Assistant Chief Duane Weyand: It is an extreme set of circumstances.

Mary Kay Vance: Duane has worked very hard on this and worked with the County Prosecutor and the Law Director to make sure that we have done all our due diligence and that this person is truly indigent. He has worked very hard to get the very best price that we have. It is less than the \$2000, but I need to put that amount in there, because this potentially could not be our last one. \$2000 is just a minimal amount of money to put in place. I hope we don't have to use that. Typically, in years past this is what we have appropriated year after year after year and did not have to use that appropriation. We haven't done it in the last couple of years for budget process to make sure that we bring our appropriations down as close as we can. When we don't use it, we obviously don't have that need.

Councilman McKay: And there is a requirement that we provide indigent burial?

Mary Kay Vance: Yes. If a person is indigent, we are required to bury this person or take care of the body by the Ohio Revised Code. We are guided not by local ordinances but by Ohio Revised Code. They are very specific in their requirements and whether there is family involved and so forth and so on. That is why Duane got all of the other parties involved and all the other legal folks involved to make sure that we were not stepping outside. Now, if there is family involved and they too are indigent, that does not take away our responsibility to provide this service.

Auditor David Hollingsworth: When you say service, this is a bare minimum burial. They are not provided with a full-blown funeral service.

Councilman Wells: Is cremation allowed?

Mary Kay Vance: That is what this is. Cremation is the most inexpensive way to do that.

Duane Weyand: It's \$500. It's through Powers, I think, out of Jamestown. They are picking the body up from the crime lab, transporting it, doing the cremation and providing some kind of urn. Then we just have to try to find some family member to give this to at some point down the road. What we have is a lady who died in her house in the 17th of June. The squad was there, called us, we were there. There were a lot of injuries that just were not consistent with how the lady had died. So, we sent the body to the crime lab. The daughter that was there has a very diminished mental capacity and she kept talking about how we needed to call the global police and the aliens did that and she had to lock her mom in the bathroom because she had to keep all of the people away from her. So, after the body went to the crime lab, they declared that it was a natural cause type death, but the daughter has since been deemed mentally incompetent and she has actually been committed. As of Monday, she was in Christ Hospital. So, there is no family to pass this cost onto.

Councilman McKay: Do you want to do all of these or one at a time?

Mary Kay Vance: I'm just waiting to see if there are any more questions.

President Pro Tem Mongold: We'll just let her go on with all of them.

Mary Kay Vance: The second item is the Probation Fund is adding a benefit insurance line. That will tie in to the two middle transfers down below that belong with the Community Corrections Fund, which is a grant fund that is through the court that has to do with probation. They have two employees now that work for that department. They are adding a third employee. They have already approved this through their grant through the State of Ohio. You can see her request is attached to her paperwork here. So, where it says moving from program expenses to salaries and pensions down under the transfers, that is covering salaries and PERS. Then, the Probation Fund, which is funded by fine money, specifically identified for the probation portion of the court operation, will pay the benefit insurance piece of the hiring of this employee.

Councilman Wells: When you say they are adding a new employee...

Mary Kay Vance: That is correct. This gentleman has been on contract. They have been using him as a contract person and we have been paying him directly and provided him with a 1099 at the end of the year, as we have done over the last two years. They evidently have changed their mind and want to hire him full time. That is the best I can tell you about that.

Scott Kirchner: But you are indicating that all of these expenses are covered by grant monies. These are not increased costs to the...

Mary Kay Vance: General Fund. These line items have nothing to do with the General Fund.

President Pro Tem Mongold: That area does not fall under the mayor's request for additional hires.

Mary Kay Vance: As you can see, it was on the judge's letterhead. It came from the municipal court where he requested this health insurance for Ryan Williams to be covered by probation services. If you want the judge to come in and chat with you about it, I don't have a problem with that. Or, he can issue a court order to make you do this regardless, so there you go. I don't mean to be smart about it, but that is exactly what he can do if he wants to.

Paul Fear: As Mary Kay said, they hired him as a private contractor, so we have been paying him under consulting fees out of their account.

Councilwoman Mongold: She already said that.

Paul Fear: I know. That is what I am saying. I'm reiterating what she just said.

Mary Kay Vance: But these are additional costs.

Paul Fear: So would we still be paying him out of consulting fees?

Mary Kay Vance: No.

Paul Fear: That was my point. Let me finish. I was reiterating what she said. We're paying him already as a consulting fee, so we're just going to be changing him over and make him a full-time employee and paying him a salary.

[Multiple persons speaking simultaneously regarding increased costs]

Mary Kay Vance: It is more cost overall to have this person be an employee than it is as a consultant. It is more costs to the program, but they evidently feel that is what they want to do.

Councilman Wells: Is that a benefit to them to hire him.

Mary Kay Vance: I don't know that answer.

Councilman Wells: Judge Carey would be the one to ask.

Mary Kay Vance: Any other questions?

Scott Kirchner: Is there a timeline on how long that grant money is available? Is it a year?

Mary Kay Vance: When it goes away, the whole bunch of them will go away. Their grant cycle runs July 1 to June 30. They make application every year. If the grant goes away, they all go away. The program goes away. It's a simple as that.

Unknown Male Speaker: But, if he is an employee, the judge just can't...

Mary Kay Vance: I specifically said, "What happens if you don't get this grant money?" They said that it goes away. They all go away. They are an employee of this program specifically.

Pro Tem Mongold: They already have two employees.

Mary Kay Vance: It does not then become a burden... We would have to cross that bridge if the judge then decides that he wants to keep them and hire them and pay for them out of a different area, then that's a whole other discussion that you would all have at that time. Any other questions? The third item supplemental is in the emergency ambulance fund they applied for \$7500 in grant money. You can see where we received the check. It is attached there in the packet. We are just putting it in line for them to go ahead and use this. The last supplemental is for those of you who were in the Sewer Committee meeting and Harry Jay talked about the need to increase his utility line to cover our costs for the utilities that have to do with all of the new facilities. For your information, we have received some reimbursement from Total Baking Solutions just this week. We are getting reimbursement as they are being invoiced. We got money from Total Baking as part of the reimbursement on the utilities. The bottom line is we have to pay it up front. At this point in time, because those utilities are not switched over into anybody else's name, they are still in the City's name, and Harry Jay is monitoring every bit of that and then invoicing back to them what their portion of that is. We still have to fund it. We still have to be able to make that payment. So, he is asking for that. You discussed this in the Sewer Committee.

Scott Kirchner: Will the approach be to accrue the monies that you receive from Total Baking Solutions and then reverse appropriate it back into the Sewer Fund at the end of the year.

Mary Kay Vance: It doesn't matter. Appropriations are one thing. Revenues are another. Revenues offset your expense. To reverse appropriate it doesn't accomplish anything. Because the expense, you can't reverse appropriate it. Because when you spend it...if it is going to cost you \$300,000 to cover all of your utilities and we have a revenue stream, whether it is from sewer expenses or from TBS, the revenue stream is there to cover that. You spent \$300,000, you can't reverse appropriate it because then the expenditure will be more than the appropriation. You have to expend the money.

Scott Kirchner: So you are saying that you would just put those reimbursement amounts directly into the account?

Mary Kay Vance: Exactly.

Scott Kirchner: Because we keep appropriating more and more to pay this...

Mary Kay Vance: But we have a revenue stream back.

Scott Kirchner: That is why I was asking how we are handling it.

Mary Kay Vance: It always goes back into the place where it came from.

Auditor David Hollingsworth: It will just go back into the Sewer Fund.

[Simultaneous discussion regarding revenues and expenditures]

Mary Kay Vance: Sewer revenues are what support the expenditures. That is always what it is. The sewer revenues support the expenditures.

Auditor David Hollingsworth: We will report that when we do our amended certificate with the county. We will update our revenue sources.

President Pro Tem Mongold: Any questions on the supplementals?

Scott Kirchner: Is there a signed agreement in place with TBS at this point?

Clerk Laura Curliss: I'm not at liberty to say.

President Pro Tem Mongold asked for a motion to move the items to council.

Mary Kay Vance: Before we finish the supplementals, I handed you a single page from the fire department. This came in after I prepared the list for you. Never mind, it is a transfer. It goes down below.

A motion was made by Jaehnig and seconded by McKay to move the list of supplementals discussed to the floor of council on August 4.
Motion passed unanimously.

Mary Kay Vance: I have a question about your previous meeting with your UDAG request.

Clerk Laura Curliss: Which one?

Mary Kay Vance: If you are going to vote on the Wogomon/E&S tomorrow, do you need a supplemental?

Clerk Laura Curliss: It is just a first reading.

Mary Kay Vance: Okay.

President Pro Tem Mongold: Transfers.

Mary Kay Vance: We are moving money. The first one is in the Police Department. We are moving from drug and crime prevention incidentals \$1200. Anything?

Councilman Jaehnig: Are these the same items we talked about in Safety? You talked about how we could cover certain costs or was that a different discussion?

Assistant Chief Weyand: I think this is basically that we have costs that are above and beyond some of our stuff for dispatch. I think we have some phone bills and some other contract stuff that we are just covering the costs of.

Mary Kay Vance: Are there any other questions for Duane? The next two we already covered. The last one on this list is under Denny's Street Maintenance and Repair, from Vehicle Expense to Supplies. He discussed that in your committee meeting the other day.

President Pro Tem Mongold: I missed that meeting. What was it for?

Mary Kay Vance: He is just running short on the supplies for street maintenance.

President Pro Tem Mongold: Okay. Are there any questions?

Mary Kay Vance: Then, the extra one from Chief Mason. I think he explains that. You had that discussion in your Safety Committee meeting the other day too.

President Pro Tem Mongold asked for a motion to move the Transfers to the August 4 Council meeting.

A motion was made by McKay and seconded by Mead to move the transfers to the floor of Council floor on August 4.

Motion passed unanimously.

Mary Kay Vance: I don't have the hotel lodging tax for you because it wasn't part of this agenda. You'll have it.

Clerk Laura Curliss: It won't be...

Mary Kay Vance: It will be, but it wasn't part of this agenda. It will be part of your agenda on Thursday night.

President Pro Tem Mongold: Are there any other items to bring to discuss for Finance? David, do you have anything to say?

Auditor David Hollingsworth: I had briefly mentioned to Mary Kay that I had given some thoughts to the upcoming budget. I think what we are going to attempt to do...I think what we need to do...once we determine what revenue sources (and I think we have a fairly good handle on what those are going to be), we will sit down to determine how we are going to allocate those to the different departments and give them x-amount of dollars to work with and move from there. This is a little different than what we have done here in the recent pass.

Councilman McKay: You say you are going to up-front what they are going to have for the rest of the year?

Auditor David Hollingsworth: Not for the rest of the year... for next year.

Councilman McKay: I'm sorry. I thought you were talking about this year.

President Pro Tem Mongold: The budget process.

Auditor David Hollingsworth: The process that we will start here shortly.

President Pro Tem Mongold: So we will have the revenues to work with to determine their expenses.

Councilman McKay: I got you. To create a zero-deficit budget?

Auditor David Hollingsworth: Basically, yes. That's the point we are at now.

Councilman McKay: That's all good.

Auditor David Hollingsworth: Assuming we want to maintain that two and a half million dollar reserve as our cushion, I think that is what we have to do going forward. We will come back to you guys once we determine...because there will probably have to be some discussions on how we want to allocate the revenue. There might be some departments that have a little higher priority than others. But nonetheless, I think that is the approach we need to take.

Paul Fear: As a segue to that, can we do a little precursor from Marque regarding issues that we talked about previously. I will pass these out while he is talking...

Auditor David Hollingsworth: That is all I have.

President Pro Tem Mongold: I don't know if we can do that because it's not on the agenda.

Clerk Laura Curliss: I don't think we can do that because it is a special council meeting. You can only do the stuff that is on the agenda.

President Pro Tem Mongold: You can't discuss anything that is not on the agenda.

Clerk Laura Curliss: On a special, it has to be on the agenda.

Scott Kirchner: So anything on Finance at this point has to be...

Clerk Laura Curliss: A special council.

Councilwoman Mongold: I thought we were going to do a memo regarding that.

A motion was made by Mongold and seconded by Jaehnig to adjourn.

Motion passed.

Council adjourned.

ATTEST:

President of Council

Clerk