

Wilmington City Council met on Thursday, October 6, 2011, at 7:30 p.m. with President Fred Ertel presiding.

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

Assistant Chief Duane Weyand was also present.

A motion was made by Jaehnig and seconded by Wallace to excuse the absent member. Motion passed.  
Absent member excused.

A motion was made by Wells and seconded by McKay to approve the minutes of the last regular meeting, September 15, as received. Motion passed.  
Minutes approved as received.

A motion was made by Wells and seconded by McKay to approve the minutes of the last special meeting, September 12, as received. Motion passed.  
Minutes approved as received.

President Ertel: The next item on the agenda here is the Mental Health and Recovery Services of Warren and Clinton Counties. They have campaign announcements. Step right on up here.

Brent Lawyer: Thank you, sir. Some of these gentlemen I recognize from this morning's meeting, so they get a second dose of this. Thank you for the opportunity. My name is Brent Lawyer. I am the Executive Director for Mental Health and Recovery Services of Warren and Clinton Counties. These boards are responsible for providing funding services to providers in both Warren and Clinton Counties for mental health treatment as well as drug and alcohol treatment services. In addition to providing funding that we receive from the State Department as well as federal funds and local levy funds, we contract with those providers. Then we look at the kind of costs and services that we are actually getting for the services that they are providing within your community for both mental health and alcohol treatment. Therefore, we evaluate things, monitor and then we determine what kind of changes may need to be made in addition to what they are already doing or instead of, so there is a lot of activity and work with our contract providers. Some of you probably know the provider here was previously called Mental Health Recovery Center of Clinton County and now they have remerged or merged with another agency in Warren County, our primary provider in Warren County, and they are called Solutions Community Counseling Centers. So, now they have a new name. It did not change the volume of the services, per se, but it helped us to again reduce some of the costs that we are all concerned about in how we are presently designed and to reduce administrative costs in the system. So, this is another way in which we are addressing that on our level. On November 8, we had on the ballot a Mental Health and Recovery Service levy. This is not a levy for new monies. It is for the continuation of existing tax. It generally costs a \$100,000 home about \$26.34, or 70 cents a day is what it really boils down to. There will be no change in your tax right now that you are presently paying. It will just continue to be as is. One of the things that I think is very important for me to share with you, when we are talking about services, is what is the volume of service that is actually needed. You may not know, but about half of the US adults will develop a mental illness during their lifetime. Half of us. At the same time, you may not know that mental illness does account for a larger proportion of disability in developed countries than any other group of illness, and that includes cancer and heart disease. So, in other words, when we address these problems for the people in the community it really does help to preserve our families in our communities and help provide great stability. Another factor I want to bring to your attention is that we did a needs assessment survey back in October. We are required to do that as one of the functions of the board with our contract with the State Department. From that needs assessment we then determine how

best to utilize our funds to meet the needs in the community. We do that particularly with the local levy funds as a part of this tax. Does anybody want to guess or have any idea (some of you already know the answer to this) what is the biggest concern or major concern that our registered voters have in both Warren and Clinton county? We did telephone interviews. It was a fairly large number of people that actually participated in this. Does anybody have any ideas?

[Inaudible response from the audience]

Brent Lawyer: He listened to my speech earlier. Jobs. Jobs and concerns about not having jobs and the overall economy is a tremendous concern in both Warren and Clinton counties. I want you to understand that we use these levy funds to provide counseling services for people that have in fact lost jobs and are dealing with the emotional distress of having lost their jobs and what to do in this day and age. As you can imagine, the need for our services continues to climb and to escalate because of the economy and its impact upon us. Also, I want you to know that as a board I was able to obtain a grant that not only allows us to provide the services for people in the community dealing with the emotional adjustments to job loss and the economy, we are also working with the state department in developing opportunities for job skills training. So, we are trying to address on both levels. We don't want to just address the emotional needs of people in those areas, we want to provide an opportunity for people to gain a new set of skills that will make them marketable, and that's for the mentally ill. That is something that we really need to do because we really believe in fostering recovery – not dependency upon the system or to maintain people, but to find an opportunity for people to recover and to be able to get back on track. Another thing that I would like to share with you, the fourth area, has to do really with how we use these local levy funds. It was mentioned by Ron this morning at Wilmington Schools in his speech that I totally agree with, that sometimes we get funds from the State Departments and federal funds that tell us how we have to spend those dollars and we have to spend them within a certain period of time. We like having new funds, but sometimes it restricts us on how we can actually use those funds for the betterment of the community. Sometimes we are faced with that. But I want you to know that with levy funds there are a lot more opportunities for us to take the dollars in and apply them to the services that are actually needed in your community. Such services that we provide again, besides supportive employment, are housing services for people. We also use those funds to provide counseling services for both adults and families coming in for short-term counseling services as well as we use monies for medications that people need to be on as well as part of their recovery. Prevention services are another source for which we provide or utilize those funds. Early childhood mental health and intensive home and school-based services: As I was sharing with Ron and the group this morning up here in Wilmington, we go into the schools. We go into your school systems and provide counselors that work with your teachers and work with the students when they are having particular difficulties and problems. We help stabilize them – to help them to be able to address their concerns and emotional distress, for whatever reason it may be, to get them back on track so it does not have to have a negative impact on their learning. So, we are working in conjunction with the school systems to be of help in that way. Another fact I want to share with you is that.... Let me just ask another question. This is mind-boggling to me because I am in this field – is the fact that we have been able to increase the number or people actually served in both Warren and Clinton Counties since I have been put in the position of Executive Director. I started marking and looking very closely at this. Since fiscal year '02, we have increased the percentage of unduplicated adults and families served by 75%. In other words, in fiscal year '02, we served over 3,720 individuals or families in our communities. By fiscal year '11, we have served almost 6,500 people. I am not counting these people twice from year to year. These are separate people. We are seeing a greater need for the services that we are providing. We are providing more services. What is mind-boggling to me that I want to share with you, is we have been doing this with flat funding for 10 years from the state department – until we started getting cuts in the last two years. I have gotten cuts over the last two years that are somewhere in there between 1.2 and 1.5 million dollars. We have been able to continue to provide these services and I have not had to pass on those cuts to your providers that affect services in your community. That is significant. I guarantee you there are very few boards in your state that would be able to say that. One reason why we have been able to do that is because

we have put together a very strong oversight mechanism on how we are monitoring what we are doing in our systems: a system of accountability. We have a quality business plan that has been developed that gives us direction and guidance on how we handle those dollars. Also, because of your growth, I have ended selling some buildings. Your facility was a few years ago right around the corner where Bennett Realty is now located. I sold that building to him a few years back. Your services are now located here in this community on S. South Street. We needed a bigger place. That place no longer met our needs. We outgrew it. We couldn't provide the level of services that were needed; we needed to move. Now it is right down the road from the department of Human Services and Children Services, which makes it a real nice fit, because there is often an overlap with some of the kids you have in that system as compared to our system. Let me just finish up by making a comment about the safety net of services that we provide. Some of your monies that we use- these monies are going toward providing 24-hour hotline service. So, if there is a crisis in the system, people get on the phone and call that hotline service and we provide emergency services. I also got us a grant that allows us to help develop a good relationship with your police departments and sheriff's departments in developing what we call a Crisis Intervention Team. We go in and work with them to help them – the police officers – and then we know how best to work with a person who may be having a mental illness at that point to keep them from having to go to jail as well as going to the hospital. We also have school crisis response teams as well that go into the schools to provide counseling. This morning...we have had three suicides since Saturday. I don't know those people. More than likely, they are not even involved in our system, but we have had three suicides in our two counties already and it continues to escalate and be a problem for all of us in our community. So, I just want to end – without treatment, people living with mental illness are rarely able to achieve success in schools, secure employment, maintain adequate housing or ultimately live a quality and productive life in the community. Everyone is affected. Yet, mental illness and drug and alcohol addiction is a challenge that we can meet. I ask for your support. Please get the word out. If we are not there, other places will suffer. You're going to have more people walking the streets. You're going to have more people that are homeless. You're going to have more people going to the jail that need mental health treatment, not to be put in jail and in prisons as well as in the hospitals. This is what we do. So, please vote yes on the proposed tax renewal mental health services levy for Warren and Clinton Counties. Thank you very much for your time. Any questions?

President Ertel: Thank you. We appreciate your coming. At this time I would like to acknowledge Steve Brown to talk to us a little bit about Main Street Wilmington.

Steve Brown: Thank you, Mr. President. About six years ago when I had applied for this job and I was waiting for the decision of DWCIC I happened to run across the mayor in the hallway downstairs and I said, "Mayor, if I would happen to get this job, what would you like to see from me." He said, "I do not want to see glossy reports. I want to see results." So tonight before you are my glossy results. We figured that a picture is worth a thousand words, since you don't like me saying a thousand words up here, I figured I would just hand it to you. So, what we've done this year as far as Main Street Wilmington. We've hosted history classes in downtown. We've celebrated the arts on a full-day Celebrate the Arts Day. We've celebrated Be the Change the Day. We have coordinated projects for Be the Church Day. We helped ribbon cuttings for new businesses. We are playing a key role in the Wilmington Community Arts Collaborative. We promote downtown business events. We planted flowers in urns and hung flowers from the poles and then we took them down too early. We are presently planning 200 flower bulbs in the pocket park. We are managing all of our volunteers – about 150 of those – putting in about 1800 hours worth of work to improve our downtown. We have had to raise the funds to do all of these improvements. Our website gets about 23,000 page views per year, Facebook 10,000 post views per month. We sold out of the progressive dinner to help out our downtown eateries. We filled the theatre lobby at the Murphy Theatre with live music during the Brown Bag Lunch Series. We hosted three concert festivals in the mural parking lot, with a total of about 1400 in attendance. We held our first car show, with over a hundred cars on only a three weeks' notice. We sold out of our Wine Walk for the second year in a row – 120 people visiting 12 downtown businesses. New, this Saturday, is catch a ghost, which is a geocaching event – our first one in town. We expect 40-50 people from within a one-hour radius of Wilmington

coming in this Saturday. If you don't know about geocaching, go to [geocaching.com](http://geocaching.com) and you can learn all about it. Also, October 29, the last weekend of this month will be our Halloween bash. It will be our third year in a row for downtown trick or treat. We have had approximately 200 trick-or-treaters plus their parents and friends. So, we see about 400-500 people in downtown on that particular day. We are doing HoliDazzle again this year and will be, as always, the Saturday following Thanksgiving, which this year is November 26. There has been some dispute over a project we wanted to take on for HoliDazzle and that is to set off pyrotechnics from the courthouse roof. Our committee visited this subject again last night. The HoliDazzle committee voted on whether to pursue this or not, and we voted to drop it. We will no longer pursue pyrotechnics on top of the courthouse due to public input and some political unrest that we did not want to create. None of this is in the spirit of HoliDazzle. We want a positive event and it will be a positive event this year. In lieu of that, we will have a hot air balloon glow on South Street in front of what we know as the old News Journal across from the courthouse. Three hot air balloons are sponsored entirely by Dayton Power and Light, who was going to sponsor the pyrotechnics. Dayton Power & Light is also a partial partner of the HoliDazzle parade, so they are still strong partner with us. So, I will let you know that fact. Almost done here – Retail is Detail – I've mentioned this before, will be a business assistance program through a grant to five of our downtown businesses at \$3500 per business. Next year, we will be hosting a Main Street event. It's a workshop, networking here, we will be hosting in this building approximately 35 Main Street Managers and also Boards and interested others from the State of Ohio. They will be coming in from the State of Ohio the first week in March. We look forward to hosting that. Also, in closing, I would like to read a recent welcome letter that is on our website that I have written. I got on the City of Wilmington's website to make sure it didn't conflict with the Mayor's greeting. He is not here tonight. Actually, it went right along with what the mayor had to say. I was very appreciative of his line that said the City of Wilmington is nothing without its people. That is what I pointed to in my welcome letter to welcome any visitors into our downtown.

*Welcome.*

*We welcome YOU to Downtown Wilmington, Ohio!*

*We are a small town... located at a crossroads... in the middle of a cornfield - sometimes called a lazy town... and that's alright with us.*

*We raise our families here and enjoy the great amenities of our town... AND YOU are welcome to join us... good local foods - specialty shops - theater - arts - festivals - and well... a good time.*

*BUT... you may be surprised to find we are also a community full of innovation...creativity...entrepreneurship and..what we refer to as "progressive behavior". A community that is very resilient... and quietly stubborn.*

*Sure, we have manufacturing, farming, transportation and shipping industries... oh, and a big air park. But we have come to realize... big business does not make a community... it is the PEOPLE who make OUR community... a living, breathing community.*

*Please join us for a visit... a job... a life... that's actually quite nice! If it's the "big city" you want, one is close enough to visit... and that's okay - we don't have everything here... but... we do have enough... enough for a place we call home.*

*We welcome you to our home! Please stay as long as you like... we are.*

*Steve*

*Steve Brown*

*Executive Director*

*Main Street Wilmington*

Any questions?

President Ertel: Very good. That was an excellent letter, if you will. Excellent.

[General comments of gratitude]

President Ertel: Next I would like to recognize Phil Floyd. You want to talk to us about the Wilmington City transit programs for 2012.

Phil Floyd: I absolutely will. Thank you, Mr. President. This public hearing is one of the final requirements of the 2012 Rural Transit Grant proposal process. The process includes three readings of a resolution that authorizes submittal of the grant proposal along with certification and assurance documents, plus our budget request for operating and capital funds for the calendar year 2012. The Ohio Department of Transportation Department of Transit will evaluate these documents, along with our performance data, which is determined from our quarterly reports, providing ridership, revenue collected, vehicle miles traveled, hours of operation and other pertinent information. This data indicates our level of efficiency, which ultimately helps determine the approval of our request for funds. While ridership and efficiency and our system is a large part of determining the awarding of funds, it will also be determined by the total amount of funds available for us from federal and state public transit budgets. We know at this time that within the 2012 state budget, public transit funds have been reduced from last year. All public transit systems across the country are facing the same dilemma, increased ridership but fewer funds available for operating and capital improvements. One thing in our favor is that our performance numbers continue to surpass the Department of Transportation's calculated averages and actually places Wilmington Transit System as one of the most efficient rural systems in the state, which we are very proud of, of course. We should learn by mid-December if our requested funds have been approved. The goal for 2012 continues to be maintaining the same hours of operation, no fare increases, and keeping the operating costs at the bare minimum while keeping Wilmington required matching funds at the lowest possible level. All of these goals to help ensure that our community members can continue to obtain affordable transportation to work, work opportunities, education, healthcare and shopping. Wilmington Transit System is, without a doubt, an economic engine for Wilmington and Clinton County. Our most frequent destinations are food and retail stores as well as many restaurants around the area. All of the people transported to these destinations go there for two very important reasons – to either earn money or spend money. That helps to drive the local economy. We estimate that we will provide over 130,000 rides in 2012. Wilmington Transit System provides all of our community members a level of independence that might not be available by any other means. The 2012 grant process or proposal seeks \$729,856 in federal and state grant funds. We estimate collecting \$240,000 in fares plus \$65,000 in contract receipts, which leaves the local match or the amount the city needs to show available in the General Fund for operating at \$202,290. Also, within our grant proposal, we are seeking capital funds to replace three vehicles. This year, we passed on replacing vehicles. That has a projected cost of \$141,781, but the city's share for the replacement of the vehicles will only be 10%, so \$14,178. So that brings a total of \$216,468 that will be the amount the city will need to indicate as available matching funds for 2012. Of course, our goal, as it is every year, is to do our best not to spend all that has been allocated to transit. The challenges are great, but the Wilmington transit system will continue to provide safe, affordable transportation to Wilmington and Clinton County residents. That is our proposal for this year. Are there any questions about the grant proposal process? Yes Paul?

Paul Hunter: Could you explain how our matching funds not for the capital but for the operating, we don't actual use that money; it's just there for the grant application, right?

Phil Floyd: We are required to show matching funds. It is a percentage calculation there. It used to be 50% federal, 30% state and 20% city. We have been able to find ways, through contract work and other means of increasing fare box, to reduce the city's share. So, this year, it was less than 15%. We have to show that amount as available if needed, but we don't always spend it. Last year, we only spent \$88,000 of the \$192,000 that we had to show available.

Paul Hunter: Thank you.

Dick Unger: I have a question. I live up on North Lincoln Street, just short of Brownberry Apts. I see a lot of almost back to back vehicles going to and from Brownberry. I don't know where their destination is, but I've often thought, have you ever considered bus routes?

Phil Floyd: Yes. That has been considered over the years.

Dick Unger: It would just have set hours.

Phil Floyd: We did look at that. We have never made the decision to do that. We found that the best method for us after talking to other systems around the state and doing research, the best method is still on-demand. Now, we will often send...there may be two vehicles sitting at Kroger, but one may be going east and one may be going west. We certainly try to combine trips. That is one way we have increased our efficiency.

Dick Unger: I was just thinking about the economics, though. If you all came or it was known at a given time when you can leave the complex to go here and yonder, that would be more efficient.

Phil Floyd: Our system is an on-demand system and to do any other form of transportation would require going to the state for approval. We have not found that to be the best thing to do. The best thing at this point for us is on demand. You call us and we will be there as quickly as we can get there.

Paul Hunter: But you do have multiple riders.

Phil Floyd: Absolutely. We combine rides. We have increased our efficiencies through doing that, rather than just sending for one at a time.

Rob Jaehnig: When I was looking for a job and didn't have vehicles, I would get picked up quite often. Quite often there would already be someone in there or we would be picking up somebody on the way. In fact, I don't know if I remember ever riding alone.

Phil Floyd: It happens occasionally, but we do our best to combine trips to, again, be as efficient as we can be. Thank you very much. I would ask everyone to kindly sign the sheet on the table over there as you leave. That is one requirement also – that we provide a list of those who attended the public hearing. Thank you.

President Ertel: Thank you so much. Before we move on, at the last council meeting and probably two months ago I asked council persons to take a look at their individual committees that they were head of and so on, if there were any potential cost savings that were available right now. At the last meeting, I mentioned that it would be good to spend just a few seconds if you found anything in any of your committees that could actually save a few dollars before we get into the budget season. So, we'll just start with Rob. If you don't have any ideas or what you are kind of looking at, just give us a quick snippet of what you have seen so far in looking at cost reductions.

Councilman Jaehnig: The Judiciary, the only real effect we have is taxi, and we have not really had a Safety meeting since we last talked, so we do not have anything to report.

President Ertel: Very good. Don?

Councilman Wells: Well, we didn't discover any real savings. We discussed how to stretch the dollars out for the rest of the year to meet the obligations. It sort of sounded like everybody was having trouble. We didn't actually try to cut anything, we just sort of...

President Ertel: Is there any potential, do you think, for the 2012 budget?

Councilman Wells: Oh, yeah, I think there are places that could be cut, but do we want to do that? We don't know yet.

President Ertel: I understand. Very good. Loren, I know you don't head up a committee, but you are a member of a few committees, so what is your take on the whole thing?

Councilman Stuckert: Well, I haven't seen anything specific that I could offer a suggestion. Like Don said, I think we'll have to look at some things and some decisions will have to be made. But, I don't think at this point in the process, I have seen anything I could mention at this time.

President Ertel: Good. Mike?

Councilman Wallace: This week we had meetings with a couple of different committees looking at budgets. Obviously, the current year comes up under scrutiny along with that as well. I know Don and I sit on Streets. There was mention of a couple of areas where we might come up with some savings, but again, we are all hesitant in saying, because we still have about three months' worth of expenses staring us in the face. The mayor mentioned that there are hopes that he sees, I think, of some significant savings, but it is hard to promise anything at this point in time because of where we are. We are still fighting the cost of gasoline to be honest with you, as much as anything else, that is what we are doing. On the Water Committee, as an example, actually Jerry just reported it, we are a little bit under what we had budgeted currently for this year, and we are hoping we can continue that and stay underneath what we actually budgeted for, which would be pretty exciting. Again, with the Army Corp of Engineer expenses that we have and things like that, we are always left out in the open. We don't know quite where we are with some of these things. It is hard to really predict that as well.

President Ertel: Okay. Thank you. Sandy?

Councilwoman Mongold: Well, I don't really chair a particular committee that affects a department and so forth. Once all of the departments have their budget meetings, of course, Finance will be meeting to go over all of the figures. I think all of the department heads have been doing a wonderful job of managing their budgets this year. What I have seen so far, they have been doing a wonderful job of preparing the budgets for 2012. I do have one idea – and this just came to me recently and it does not save a lot of money. Since we are talking about it, when we get our water bills, they send an envelope. Why can't we just send a label? Wouldn't that save on postage and save on the cost of envelopes? Just send a label like the Income Tax Department does to return payments. It's just an idea.

President Ertel: Sure. I think all ideas are on the table now.

Councilwoman Mongold: Like I said, it is small dollars probably compared to the big picture, but I think that is something that would save some money.

President Ertel: A dollar is a dollar. It's a very good idea.

Councilwoman Mongold: Finance will be working on putting all of the budgets together and looking at the figures.

President Ertel: Okay. Mark?

Councilman McKay: The committee I chair other than Revitalization, which is not a monetary committee, is Wastewater Sewer, which has a significant budget. We are an enterprise fund just like the Water and Sanitation. In our meeting last night, Harry was able to show us that he has budgeted at this time to not spend more than the revenue tends to be at this time. These are just the first go round. There are several areas that Wastewater/Sewer affects. We have the Textron facility, which is kind of in a state of flux right now. We are happy to reiterate that we just brought the solar panel project into fruition and that is going to be a savings in electric service. I think right there we are going to have to look at things because we have a large infrastructure in that building.

We have a renter and how we are going to use those building effectively. They are going to need repair. We're just sort of scratching the surface on that project.

President Ertel: Thank you. Yes, Don?

Councilman Wells: I would like to say, looking at it, Fred, I kind of smile when I listen to the department heads because, you know, it's sort of like, "We're just getting by. I just barely have enough people to do it." You know, nobody is voluntarily going to say, "I've got more than I need." So, I kind of take that with a grain of salt and listen to it. I understand they are doing a good job with what we have, so....

President Ertel: As everyone knows, our revenue situation and so on, and the budget for 2012 is going to be an important one. It is going to be as squeaky as it ever has been. It sounds like we have people thinking. That's the key; to get people thinking as we go into the budgetary process now. We will, I am sure, have some savings that will come to the table.

Councilman McKay: Our overall goal is going to be to attempt to keep our revenues in line with expenses and not go any further into the carry-over. That is our goal and we hope we can achieve that.

President Ertel: Very good. Are there any other questions or any other comments. Let's move ahead. Since we don't have a mayor tonight, I'm assume he has no report.

Councilman Jaehnig: Do we still need to announce that public meeting?

President Ertel: Oh, the public meetings for the 2012 budget. Okay. Those flyers are right now in the council chambers.

Clerk Laura Curliss: Yes. They should be here. They are also on our website.

President Ertel: Okay. Everyone is invited to those, definitely. As we move into the 2012 budget season.

Mayor – In the absence of Mayor David Raizk, there was no report.

President Ertel: How about some Asset, Acquisition and Use. Anything on that, Sandy?

Assets Acquisition and Use: Chairperson Sandy Mongold: I have nothing.

President Ertel: Okay. Mr. Auditor?

Auditor – Auditor David Hollingsworth: The only thing that I have, adding to the budget discussion, I just got from Mary Kay, my Deputy Auditor, the September report. I think, if you remember from an earlier council meeting, we were waiting until we got through the end of the September to take a look at the fourth quarter to see what we are going to spend and to kind of get a better feel for what we think the carry-over balance is going to be. We will then tie that in with our revenue projections and then fine-tune the budget once we get to that point. I understand the budget meetings with the department heads need to start – that discussion needs to start – but then we'll just take a look at what we really have available and kind of go from there. I will be producing a report for everyone here in the near future.

President Ertel: Thank you. Finance Committee?

Finance Committee – Chairperson Sandy Mongold: The first item I have tonight is an ordinance making supplemental appropriations.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Making Supplemental Appropriations.

Motion passed

Director of Law read ordinance by title only.



A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by McKay to pass the ordinance as read.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4989 passed as read.

Councilwoman Mongold: The second item tonight, we have one transfer for the Recreation and Parks Department on an ordinance making miscellaneous transfers.

A motion was made by Mongold and seconded by McKay to give the first reading only on the ordinance Making Miscellaneous Transfers.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Mongold and seconded by McKay to suspend the rules and give the second and third reading on the ordinance by title only.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mongold, yes; McKay, yes.

Director of Law read the ordinance by title only.

A motion was made by Mongold and seconded by McKay to pass the ordinance as read.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Ord. No. 4990 passed as read.

Councilwoman Mongold: That is all we have tonight. Thank you.

President Ertel: Thank you. Water Committee?

Water Committee – Chairperson Mike Wallace: We have one item on the agenda this evening. If you recall, we have a piece of property on Columbus, down at the corner of Wall and Columbus that we own. We have had a renter there for quite some time. That property is now vacant. We need to move that property on and not have that worry, care and needs and so forth. We are asking the council this evening for an ordinance that would allow the mayor to get this property sold. Are there any questions?

[Discussion of location of property]

A motion was made by Wallace and seconded by Mongold to give the first reading only on the ordinance Declaring Parcel #2900136793, More Commonly Known as 415 Columbus Street, Wilmington, Ohio, to be Surplus Property, Authorizing the Mayor to Enter into a Purchase and Sale Agreement for Said Parcel.

Motion passed

Director of Law read ordinance by title only.

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

Councilman McKay: Do you know how that will be sold? Does anyone know?

Clerk Laura Curliss: It has to be competitive bidding. That doesn't mean you have to have a live auction. You could have sealed bids. You could do an internet thing. As long as it is a competitive bid process.

[Simultaneous discussion of competitive bid process]

Councilman Wallace: We have one other item. It has come to our attention that the water committee needs to review our billing cycles. We need to review and possibly revisit the idea of maybe collecting deposits as we get water turned on. Once we get through this

budget process, we are going to start having some meetings on these items and revisit them in due time.

President Ertel: Thank you. Streets Committee?

Streets Committee – Chairperson Wells: Mr. President, I have one item on the agenda. It is three readings on a resolution adopting preliminary legislation for a Safe Routes to School sidewalk project to install missing portions of sidewalk on the south side of Truesdell Street between Randolph Street and Nelson Avenue, and on the east side of Nelson Avenue between Truesdell and Warren Drive. Are there any questions? Any discussion?

A motion was made by Wells and seconded by Stuckert to give the first reading only on a resolution Adopting Preliminary Legislation for a “Safe routes to School” Sidewalk Project to Install Missing Portions of Sidewalk on the South Side of Truesdell Street Between Randolph Street and Nelson Avenue and on the East Side of Nelson Avenue Between Truesdell and Warren Drive.

Motion passed

Director of Law read resolution by title only.

A motion was made by Wells and seconded by McKay to suspend the rules and give the second and third reading on the resolution by title only.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mongold, yes; McKay, yes.

Director of Law read the resolution by title only.

Councilman McKay: Can I ask a question? I am very much in favor of this project; it involves no funds from the city; it is grant money. I was just wondering why we are doing three readings tonight instead of separate.

Clerk Laura Curliss: Well, we don't have a deadline but they want us to move it along. I mean. Larry, do you have a better sense of the deadline?

Service Director Reinsmith: I don't think there's any urgency because we just received that legislation.

Clerk Laura Curliss: Well, we've had it for about a month.

Service Director Reinsmith: They're not going to build it until 2014, so it doesn't have to be done real quick.

Clerk Laura Curliss: Well, they have a process we have to follow.

Councilman McKay: Well, I'm not trying to stop it.

Clerk Laura Curliss: Well, it's up to you. I don't have an exact answer for you. It's a process and we've had it for about a month.

Councilman McKay: I'm not against going ahead, I just wondered.

Councilman Wallace: The only reason I went with that is because it was added today to the agenda for three readings. Do you want to proceed with that? Are we ready to move forward?

A motion was made by Wells and seconded by Jaehnig to pass the resolution as read.

Roll call: Jaehnig, yes; Wells, yes; Stuckert, yes; Wallace, yes; Mongold, yes; McKay, yes.

Motion passed.

President of Council declared Res. No. 2258 passed as read.

Councilman Wells: That is all I have for streets, Mr. President.

President Ertel: Thank you. Solid Waste/Recycling?

Solid Waste/Recycling Committee: Chairperson Don Wells: I have no report tonight on the agenda; however, I would encourage the citizens of the Wilmington to please recycle. The more we can recycle the less that goes into landfill and that saves us money. I encourage the people to recycle more and try to help us save as much as possible. Thank you, Mr. President.

Dick Unger: I have a question on recycling? Do they recycle downtown – the businesses – this building?

Clerk Laura Curliss: Yes.

Councilman Jaehnig: This building I know does.

Clerk Laura Curliss: Many businesses do. It is an individual choice.

Dick Unger: Like the churches?

Councilman Wells: The Presbyterian church recycles, because I drive right by their recycling bins all of the time out there sitting at the curb. If anybody doesn't recycle that could recycle, please call and request bins and we'll pick them up and empty them. If you know a business or church that would like to do that, don't hesitate.

Scott Kirchner: Councilman Wells, I'm not sure that our landfill supports churches and businesses being in the recycling program. You might want to check with Don Maher and Mayor Raizk, but I am not positive that that is an accurate statement.

Councilman Wells: I think you're correct. I don't think we have a program set up for it, but some of them are doing it.

Scott Kirchner: I think they do it on their own and take it to the recycling bins themselves. But, I would agree with the thought if we are doing it everywhere else and it benefits our landfill, as you say, why couldn't we set something up?

Councilman Wells: It benefits the landfill, and if we are driving right by...

Service Director Reinsmith: Another point to that is that the Clinton County Solid Waste Group does not want to recycle commercial cardboard out there at the bins and everything. You can't take it out there. They want you to get rid of it somewhere else. It's kind of a strange deal. I know, Paul, you have been in those meetings. Haven't you?

Paul Hunter: Yes.

Councilman Wallace: I know our schools recycle paper. They recycle some projects – cans and things of that nature – specific items. They do some recycling.

Councilman Wells: Now, I take my newspapers and my junk mail and old magazines to the Holmes school and put them in the Abitibi dumpsters there to help the schools.

Paul Hunter: So do I. It is better to take it over there than to take it to the county, because they just sell it and the school gets nothing for it. You might as well use the schools.

Councilman Wells: All right. Please recycle.

President Ertel: In other words, recycle in any place.

Councilman Wells: That's right. Do it somewhere. Thank you.

President Ertel: Thank you. Wastewater/Sewer Committee?

Wastewater/Sewer Committee: Chairperson Mark McKay: I have no report.

President Ertel: Thank you. Judiciary Committee?

Judiciary Committee: Chairperson Rob Jaehnig: We have two items tonight, Mr. President. The first is the third reading on an ordinance authorizing an amendment to the enterprise zone agreement. This is updating the borders of the enterprise zone to match the borders of the city, with the annexations that took place over the past few years, we had not updated the enterprise zone map to match the city boundaries. This will allow us to do that and will help with economic development opportunities out at the air park and other areas. Any questions? Yes, Paul.

Paul Hunter: We do understand that goes down Airborne Road now, right?

Councilman Jaehnig: That is correct.

A motion was made by Jaehnig and seconded by McKay to give the third reading only on the ordinance Authorizing an Amendment to the Enterprise Zone Agreement by and Between the City of Wilmington, Ohio, and the Board of Commissioners of Clinton County, Ohio.

Motion passed

Director of Law read ordinance by title only.

A motion was made by Jaehnig and seconded by McKay that the ordinance be passed as read.

Motion passed.

President Council declared Ordinance No. 4991 passed as read.

Councilman Jaehnig: The second item we have tonight is the third and final reading on a grant proposal that is part of the funding for our transit system. Any questions in regards to that program?

A motion was made by Jaehnig and seconded by McKay to give the third reading only on the resolution Authorizing the Submittal of a Proposal with the Ohio Department of Transportation for a Grant Through the U.S. DOT Federal Transit Administration (FTA), as Authorized Under Federal Transit Law, As Codified, 49 USC Section 5311, Financial Assistance for Other than Urbanized Areas and Funds Available from the Ohio Public Transportation Grant Program and Executing a Contract with the Ohio Department of Transportation upon Grant Proposal Acceptance.

Motion passed.

Director of Law read the ordinance by title only.

A motion was made by Jaehnig and seconded by McKay to pass the ordinance as read.

Motion passed.

President of Council declared Ordinance No. 2259 passed as read.

Councilman Jaehnig: That is all we have, Mr. President.

President Ertel: Thank you. Safety Committee?

Safety Committee- Chairperson Rob Jaehnig: No report, Mr. President.

President Ertel: Thank you. Downtown Revitalization Committee?

Downtown Revitalization Committee - Convener Mark McKay – I would like to reiterate what Steve Brown talked about tonight in his report. There are a lot of things going on in our downtown that everybody does not realize until you start to list them. It is a pretty interesting and complete list. Main Street is not the only one, but it was the first group and others are catching on. It is just a great way to stimulate the downtown – the front door of our community. That is all I have.

President Ertel: Thanks, Mark. Parks & Recreation? Bob is not here. Does anybody know of anything?

Parks and Recreation Committee – In the absence of Convener Bob Mead, Councilman Wallace: I believe that the shelter we built at Galvin Park is complete now, at least it

looks like it as I drive by. I just want to report on that. I think that is a nice little addition to that park.

President Ertel: Sure. Is it going to be dedicated at some point?

Councilman Wallace: I'm not sure.

Service Director Reinsmith: I think that group wants to dedicate that. I just saw that they added two picnic tables in there.

Councilman Wallace: A couple of people were using it this afternoon when I drove by. Lastly, we don't always talk about the tennis courts that the city owns that are out at the high school, but we have had probably at least four major tournaments out there this year that have brought a lot of people to Wilmington that normally would not be here. It really has been a great addition. The last tournament we had...there is a group called the Cincinnati Area Tennis Coaches Association and the Greater Cincinnati Area Tennis Coaches Association, and they have high school girls tennis tournament in the fall and the boys have their tennis tournament in the spring. This year, when they met for the tournament, the seed drawings, this is a large group, they have several flights and almost every high school in the area of Cincinnati is in this thing. They asked to play at Wilmington. The Wilmington site was not part of the plan. At the seed drawing, they called me from the seed drawing to see if they could put our site into the tournament, which I thought was really interesting. It gives you an idea of how the word is getting out and getting spread about what kind of a great facility we have here. Just thanks to the city for really helping us and the state of the Ohio and everybody else in getting this located there. It is a great facility. The United States Tennis Association, we are the poster child for USTA. There is no question about it. The youth program that our WTA has going on there...pictures of our kids have been in a lot of magazines throughout the country on what a great program we run. We've got hundreds of kids out there in the evening in the summertime playing tennis. It is all fantastic what they are doing. I just wanted to mention that...just to say thanks to the city for what a great job you've done for us and what a great facility we have out there. That is all.

President Ertel: Very good. Thank you. Mr. Service Director?

Service Director- Service Director Larry Reinsmith: I have no big report. I will report that I think our street paving project is about 98% done. They started on Monday and they have done a bang-up job. They've done a good job.

President Ertel: They've done a good job. I am amazed at how speedy they are.

Service Director Reinsmith: Yes. In years past, they've milled and come back the next week and paved and that kind of thing. They've milled it today and they sweep it and they have a paver come in right behind it. I think they have to finish up that curb on Vine Street and really wrap that contract up.

Councilman McKay: Good weather, too.

Service Director Reinsmith: Great weather.

President Ertel: Superb weather for that. Let's see. No mayor so no Safety Director.

Safety Director – In the absence of Mayor Raizk, there was no report.

Reports:

A motion was made by Wells and seconded by Stuckert to approve the Income Tax Report – September 2011, as received.

Motion passed.

Reports accepted as received.

President Ertel: At this point, I would like to open the meeting up to the general public and/or members of council to address council while in session.

Councilwoman Mongold: I would like to say that this afternoon, Joan Loving passed away. Many of you know her. She was Ed Loving's wife. They still play a large role in the City of Wilmington. They still own several businesses. They have been instrumental in the Tree Commission and downtown. I just wanted to mention that because she is a very dear friend of mine and played a large part in the City of Wilmington, for those of you who know her.

President Ertel: Yes. It is a tremendous loss.

Councilwoman Mongold: There will be a memorial service on Saturday.

President Ertel again asked if anybody else from the public or the council wished to address council while in session.

Brian Stanforth: 620 Bernice Street. I would just like to know where we stand on what Mr. Wells brought up at the meeting about looking into the back yard issues with junk vehicles and trash and stuff and if anything else is being done.

President Ertel: Larry, are you familiar with anything going on at this point in time?

Service Director Reinsmith: No. I think what Brian is probably referring to is a look back at the legislation, right?

Brian Stanforth: Well, Don brought up looking back into and see if we can do anything about it.

Councilman Jaehnig: It is on the list of items to be discussed at Judiciary. It will be brought up once we get through the budgeting process. It is on the list for review.

Brian Stanforth: And I was wondering too if anything more was being done about next door or anything.

Councilman Jaehnig: Without the mayor, he would be the one to talk to about that.

Service Director Reinsmith: You would talk about that with Ernie.

Brian Stanforth: Well, Ernie told me it is up to the Law Director.

Law Director Kathryn Hapner: It's not up to me. I don't go out and inspect. If a complaint is brought to me, we will prosecute it.

Brian Stanforth: I was told that they can't go in the back yard and that they are waiting on the Law Director.

Law Director Kathryn Hapner: That doesn't change. That's the same as it was last week and last year and ten years and since 1783 or so...

Brian Stanforth: Well, did you even try to call and see if you could get permission to enter the property by the landowner?

President Ertel: That's a good point. Is that possible to do? Can we call them up and invite ourselves in.

Law Director Kathryn Hapner: You can't invite yourself in. No.

President Ertel: Can we say, "Could we come over and take a look and see if these are findings?"

Law Director Kathryn Hapner: Well, yeah, Ernie could do that. I don't imagine they are going to...

Brian Stanforth: If you can do that, so why not do it?

President Ertel: It would be worth a try.

Brian Stanforth: What is the problem?

President Ertel: They may say, "Sure, come on over and take a look."

Law Director Kathryn Hapner: He may have asked already. I don't know.

Brian Stanforth. Well, I got the impression...

President Ertel: I think that is something we should have Ernie take a look at and see if they will invite us in. You never know.

Councilman Wells: Mr. President. I would kind of like to add to that that I do think that we do have some ordinances that we just don't enforce. When we review this, we may have to eliminate some of those. If we are not going to enforce them, then we ought to take them out of our books.

Polly Stanforth: I just have one thing to say. The Health Department got in there. That is all I have to say.

Law Director Kathryn Hapner: Well, yeah, that's right. The United States Supreme Court has said that the Health Department has the right to go in. Health Departments do. Cities don't.

Polly Stanforth: I have heard that cities do.

Law Director Kathryn Hapner: Well, you know...

Polly Stanforth: They have in the past.

Law Director Kathryn Hapner: I don't know where you heard that. As far as I am aware, as of today, the Fourth Amendment still stands.

President Ertel: Did you hear anything from the Health Department. Did they say...?

Polly Stanforth: The Health Department went in there and said that they have three weeks to clean it up. By the 11<sup>th</sup>, it should be cleaned up.

President Ertel: The 11<sup>th</sup> of...?

Polly Stanforth: This month.

President Ertel: October?

Law Director Kathryn Hapner: So that would sort of take care of the problem.

Councilman Jaehnig: So in their mind, they found findings.

Polly Stanforth: They found all kinds of fungus and...

Brian Stanforth: Solid waste.

Polly Stanforth: He called it solid waste.

President Ertel: Okay.

Brian Stanforth: They have mice.

President Ertel: Excellent.

Brian Stanforth: But they can't do anything about the junk vehicle.

President Ertel: Possibly it could be if it is a breeding ground for that. But, not knowing the full law....

Councilman Jaehnig: If the Health Department goes in and then notifies us of the finding, are we then able to take action?

Law Director Kathryn Hapner: There are two different things. The Health department is looking at different things than what we look at.

Councilman Jaehnig: Right. But if they are in there looking for one thing and stumble across another, are they able to report back to us?

Law Director Kathryn Hapner: If they choose to report back to us, that may be enough to get a warrant to go in. That is a decision, after it is presented to the judge for the judge to say yes or no. If it is enough and he signs off on a search warrant, then we go in. What you have to remember is, judges are looking at big things – meth labs and things like that. These are all misdemeanor offenses.

Councilman Jaehnig: It doesn't make it any less important.

Law Director Kathryn Hapner: It may not. I'm not trying to belittle that. I'm just looking at it from a practical point of view. From a practical point of view, the courts are crowded. There are things that the courts find more important in life. That's just a fact of life.

Councilman McKay: At this point, our new Health Commissioner is on our agenda at the next council meeting. She is going to come and visit with us. Perhaps she can shed some light on this.

Councilman Jaehnig: That is great.

Service Director Reinsmith: The mayor talked to her and he felt like she is pretty energetic. She is going to do things a lot differently than Bob did.

Councilman McKay: She's a good girl.

President Ertel: Very good. No solution, but something's happening.

Dick Unger: 1036 N. Lincoln Street. Let me say first off, there is more than Wilmington than downtown. The problem that these folks have and I have the same problem and you can drive on various streets in Wilmington, the same problem needs to be resolved. There are rules and codes existing that can be enforced. You have told these folks several times to get an attorney. Do they sue you or...?

Law Director Kathryn Hapner: No. The neighbor.

Dick Unger: Why would they sue the neighbor? You're supposed to be the nerve center here and the rules, so why would I want to hire somebody...?

Law Director Kathryn Hapner: I don't represent individual citizens of the City of Wilmington. I represent the City, the elected officials of the City, because what they are complaining about may very well be a private...a private nuisance. If that is the case, it does not involve us, it involves a dispute between two neighbors. It does not involve the City. Therefore, the City does not have anything to do with representing either party or defending the other party. Because under your theory, I should also defend anybody that gets sued, just because they are a citizen or a resident of the City of Wilmington. It doesn't work that way.



Dick Unger: No. My theory is we have ordinances to do this or that. It has already been pointed out several times that they are in violation of the written ordinances. That is where I am coming from. Maybe I don't understand.

Law Director Kathryn Hapner: I don't know that they are in violation. At this point in time, nobody official has said that they're in violation, file a complaint against them. Until that happens, there is nothing that I as a Law Director can do. The Code Enforcement official, because it is a criminal act, cannot violate the Fourth Amendment and go into a home. The Health Department can because they're not looking for crimes. They are looking for violations for health rules and regulations but not crimes. That is why there is a difference between the health department and a code enforcement official – because it is a crime and that is what the fourth Amendment protects citizens against.

Dick Unger: It seems to me, then, that you guys look into this you need to get in and clean a lot of this up or enforce it because why have it if it is not going to be enforceable and it falls back to what Steve is saying here. We want to invite people to come in and live in the community and there is more than Wilmington than downtown and if they go about the various streets and says this looks like a nice residential street or I like the older part of time and 'boom' there's weeds grown up and unsightly residents there, maybe they think they ought to move on. Just food for thought.

President Ertel: Good point.

President Ertel again asked if anybody else from the public or the council wished to address council while in session.

Scott Kirchner: 245 S. Mulberry Street. I have been attending as many of the budget meetings as I have been able to make based on the schedule of them. I am encouraged by the effort that the council is giving in trying to focus the operational budget of the city within the income. I will say I have been troubled by one thing that I have seen that has remained consistent from last year to this year. I would encourage you, Mr. President, as you ask the council people for their ideas to encourage the mayor, I don't believe council has effective information on some of the costs of operating departments, specifically the insurance costs associated with benefit insurance for our employees. Last year during the budget process I attended, I identified that there had been roughly a 30% increase in those cost estimates. At the time, the information provided for the budgeting process was that because the insurance did not start until April 1 and the budgeting process was in October of the previous year, they did not have the actual numbers to fill in yet. We are now past October 1 of the following year and we still, even though we have heard multiple council people at multiple meetings, I myself have asked for the number, no one has ever been able to provide a number for what insurance actually costs the city once they got the policy implemented starting April 1. Last year's fictitious numbers, which is what I will call them because of the massive increases that they contained, have been forwarded to this year's budgets. I think for council really to be able to do an effective job of knowing where that budget is at, we need the mayor and the mayor's administration completely to come forward with effective numbers that let the council know exactly where we are and what we have to work with. I think that number being hundreds of thousands and up to a half million dollars of difference, would be beneficial.

President Ertel: I am sure those will be available.

Scott Kirchner: In talking with the Deputy Auditor last night, the Deputy Auditor indicated that she did not have that number. She indicated that she used the number provided by the Director of HR and that number was directed to be the same as the number last year and no number has been provided for the actual cost of insurance after the policy was negotiated and agreed to for this year service. It seems to be a very hard to get at number. I have heard it asked for multiple times by multiple people, so I just think it would benefit the council if they really had accurate numbers to work with.

Councilwoman Mongold: Did anyone ask HR?

Scott Kirchner: No. HR has not been at any of those budget meetings. Until last night, I had not been told by anyone that HR was where that number was coming from. According to the Deputy Auditor last night, she simply places the number into that line item that she is directed to because HR administers the insurance costs.

Councilwoman Mongold: Wouldn't the actual costs be what our financial figures are for the year. They should be in there.

Auditor David Hollingsworth: Have you ever asked for cash receipts and disbursements report?

Scott Kirchner: No.

Auditor David Hollingsworth: It's public information. All you have to do is ask for it. The actual number is on there.

Councilman Jaehnig: This came up in the budget meetings when we noticed that the benefit numbers were exactly the same as last year, and so that is why we asked. My question was that I was concerned that we were going to use the exact same numbers when every indication is benefit costs are going to continue to rise and were we under-budgeting. That is where I started questioning – whether we have enough in there. Then it was brought up, “Well, we don't know where are 30% fell towards actual from the previous year.”

Auditor David Hollingsworth: If you look at the 12-month period that the insurance covers. If you go from May 1 through April 30, I mean our actual costs should be pretty easy to determine if you take a look at our cost receipts disbursement report of what was actually spent.

Scott Kirchner: The thing that I am finding, I think, a little bit different because the city has switched to apparently a self-insured approach over the years, perhaps it is different than regular benefit insurance where a package is purchased – a group of employees has a package offered to them at known costs – known employee percentages – and that lasts for a year. What I am beginning to think I understand is that perhaps it is a matter of we don't know what those costs are every year; however, what was indicated in last year's budget cycle was until we got closer to April 1 when the policy was to begin, we wouldn't know the actual cost of benefit insurance. That's the number that I'm looking for. What was the bid to actually run insurance from April 1 of this year until March 31 of next year. That is the number that I have not been able to get.

Auditor David Hollingsworth: That should not be hard to determine. The only thing that might take a little bit of effort is the fact that we were self-insured the year before and some of those claims may not have been settled until after the April 30 date and we switched, because we did go back to a different insurance coverage through Blue Cross Blue Shield. It is possible that it may take a little effort to come up if you want the exact numbers.

Scott Kirchner: Even just general numbers. If you're within... I mean, a 30% increase in last year's insurance cost to me needed to be reviewed, and I have heard other council people ask that question. “How did we come into that number?” Even as of last night, as we were reviewing the exact same number again in this year's budget, I still don't get that answer. But the answer last year was “We won't have it until April 1.” Now we don't have it and it is passed April 1.

President Ertel: We should have some number for budgeting this year, correct?

Auditor David Hollingsworth: Yes. We would know what it would cost us from, say, May 1 of 2009 through April 30, 2010, but you are looking for the period from...?

Scott Kirchner: It is my understanding that the cost changes on April 1 because the planning runs April 1 through March 31.

Auditor David Hollingsworth: Right.

Scott Kirchner: Which I would take to mean that there is a set cost for the plan in that year. You bid it and the service gets provided.

Auditor David Hollingsworth: Not necessarily when you are self-insured. It's not a set premium every month.

President Ertel: It's not a fixed number until it occurs.

Auditor David Hollingsworth: For the year that you are looking at...

Scott Kirchner: Then why would they indicate that they won't know that cost until April 1, last year, would be my question. That was the exact answer that was given. We are estimating that because we are being told that costs are going to go up. What costs and how much? The indication was we had to estimate high because we don't know how much of an increase we are going to see in our insurance claims but that should be a number in April 1 is what I understood.

Auditor David Hollingsworth: Most of that would have been determined by the gal that we actually go through that bids out our insurance – that provides us with information on what would probably be the best type of coverage to provide – the most cost effective – whether it be self-insurance or being fully insured. Now we won't know what our full insurance costs will be for this year until we get to the end of April of 2012. Now we are budgeting for 2012 for our calendar year and our best guess for budgeting purposes is going to be probably either what we spent the year before or if we get a number from the gal that actually helps us analyze our claims and do an evaluation of what the best coverage would be.

President Ertel: So, we should know what we spent the year before, right?

Auditor David Hollingsworth: Yes.

President Ertel: And then we could plug that in for budgeting this year. Am I correct in that?

Councilman Wells: Here is an example of what we are talking about. Benefit insurance...and this amount...and this is year-to-date. This is nine months, so you figure about 25% added onto that, but that is a considerable smaller amount than what we had listed over here in the budget. So, that is what we are talking about. We don't have a real good accurate number.

Auditor David Hollingsworth: Are you looking for the budgeted amount for 2010?

Councilman Jaehnig: No. For 2011.

President Ertel: Well, you bring up a good point, so we will make sure...

Scott Kirchner: And those are the numbers that I think would benefit the council because it is a significant, very significant costs, to the operation of the city.

Service Director Reinsmith: You know, I was talking to HR about that and the year before, they had a couple of large claims. I think they had two back surgeries that were about \$200,000 a piece. I know Mary Kay indicated last night that we have had a really good year on risk.

Assistant Chief Duane Weyand: During last year's cycle, we had what are called five catastrophic claims. That is why in the budget it is a little hard to factor that in because if we were to have several catastrophic claims in the next year, well, then the insurance doesn't start running until April 1 and then your premiums and what you are going to have to budget for are offset. You have to have a contingency plan for the worst. This

year has been good, but during that time we have had five catastrophic claims. Nobody wants to insure you.

Councilman Jaehnig: I have no problem in planning for the worst. That is why I was asking because I was afraid. If we use last year's number for this year, are we actually putting enough aside. Just taking last year's number and putting in this year's number, I want more of an explanation than because that's the same number we used last year.

Assistant Chief Duane Weyand: Maybe it is a practical approach maybe is trying to get our health insurance in line with our fiscal year. This way, it is a little easier to budget instead of trying to project four months into the next year to where we are going to be.

Scott Kirchner: The only issue with that as I hear it is it really is kind of a roll the dice thing. If we have a number of individuals that have catastrophic claims in this year, we are going to pay through the nose because we're self-insured. If we get lucky and our employees stay healthy for the whole year, we're going to have a low cost. It doesn't matter whether you move it coincide with your budget season or not, based on what I am hearing, because you can't know the number and it doesn't make a difference. So, the answer we got last year that we estimated that high, we won't know what it costs until we get to April 1 seems like it isn't true at all, based upon what I am hearing. Correct me if I am wrong, Councilman Jaehnig, but wasn't that the answer we got when we looked at benefit insurance cost increase last fall.

Councilman Jaehnig: That is correct.

President Ertel: Well, good. Let's make sure we get a good solid number we all can agree on and have faith on, even though it is because you are self-insured, it is a roll of dice to a point.

Councilwoman Mongold: Everything we are budgeting is a roll of the dice.

Councilman Jaehnig: Well, if nothing else, I think it is a good idea if we have a clear idea of how the numbers are...

President Ertel: Of how the numbers are generated and what it means.

President Ertel again asked if anybody else from the public or the council wished to address council while in session.

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

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

Motion passed.

Council adjourned.

ATTEST:

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President of Council

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Clerk