

**THE CITY OF KENT, OHIO
HEALTH & SAFETY COMMITTEE
WED., MAY 6, 2009**

This meeting of the Health & Safety Committee of Kent City Council was called to order on Wed., May 6, 2009, by Jack Amrhein, Vice Chair, in the absence of John Kuhar, Chair, at 7:13 p.m. Vice Chair Amrhein explained they would be discussing the citywide trash proposal.

PRESENT: MR. AMRHEIN, MR. DELEONE, MR. HAWKSLEY, MS. SHAFFER, MR. TURNER, AND MR. WILSON

ALSO PRESENT: J. FENDER; MAYOR; J. SILVER, LAW DIRECTOR; G. ROBERTS, SERVICE DIRECTOR; AND L. COPLEY, CLERK OF COUNCIL

**ABSENT: MR. KUHAR, MS. WALLACH, AND MR. FERRARA
D. RULLER, CITY MANAGER**

Gene Roberts, Service Director, explained that John Ferlito, Health Commissioner was unable to attend, as he had to attend a meeting relative to swine flu.

Mr. Roberts explained that he previously provided them with a summary of the public meetings held on Feb. 25 and April 8. He said he took most comments from individuals present, and tried to correlate them into the presented bullet points. He said he can review them or reduce his comments to say that the only issue that was not positive was that some feel they are removing their choice. He said they tried the opt out provision in 1965, and the program failed, as companies underbid the published price.

Mr. Roberts said they have spoken with the condominium associations. He said they received a call from the Lakes of Franklin Mills, who has signed a three-year contract with R & R Sanitation, and thanked Council for their efforts. He said that Cottage Gate is a current subscriber, and will see a decreased cost.

Mr. Roberts said they have had discussions with Gary Vincent of R & R Sanitation, and the price paid to R & R for the bags has reduced to \$1.50. He said the City will purchase, distribute, and pay monthly for the number of bags distributed. He said they are recommending the bags be billed at \$1.85 per bag. He said it will be a little more work. Mr. Roberts said the price of the bags are from .11 to .25 per bag. He said they can buy 10,000 at .11 per bag or 250 for .25 per bag.

Mr. Fender thanked Mr. Roberts, adding this had to be a time-consuming process. He said that several people who contacted him, greatly appreciated the time that Mr. Roberts and the staff took to answer their questions.

Mr. Turner asked if they have been able to establish how many individuals will be displaced, and Mr. Roberts said there are two separate components. He said the local resident with a small service will do some of the services hired out by the City, which will provide for some change in his loss of service. Mr. Roberts said that representative from Waste Management indicated to him, in a private meeting, that when R & R gains business in Kent, they lose it elsewhere. He said according to those in the industry, there is seldom an impact relating to the loss of a job.

Mr. Turner asked Mr. Roberts to address the issue of the carbon footprint and what it means to Kent if they approve a single trash hauler, and Mr. Roberts said they will have a smaller carbon footprint. He said that diesel trucks have emissions, and fewer trucks equal less emissions. He said they should see 1/3 of the existing carbon footprint, as it relates to the trash hauling business. He said it would be a tremendous study to see how it relates to all traffic.

Mr. Turner asked how Mr. Roberts would quantify the benefit to the City regarding street deterioration, and how soon they would need to address it in Kent. Mr. Roberts said a street wears out from environmental degradation, such as water under the pavement, and freeze/thaw cycles. He said a predominant issue deals with road traffic. Mr. Roberts said one trash truck equals typical residential trips in a neighborhood for one week. He said if they get rid of two out of three trash trucks, it will extend the pavement life. He said it is impossible to know how many years they are extending the life, as it depends on the existing condition of the street. He said they will see a 20% change overall, but it will take a few years. He said they need to get their road conditions caught up.

Mr. Wilson asked if one fully loaded trash truck equals 1400 car trips, and Mr. Roberts said that according to a study by the Minnesota Dept. Of Transportation, an empty trash truck equals 1500 car trips. He said if there are twenty

residents on a street, making 10 trips, that is a total of 1400 trips weekly. Mr. Wilson asked if that was just fully loaded trucks, and Mr. Roberts said it was not, adding the report starts with average trash haulers. He said some are a single axle, some are a dual axle, and Mr. Wilson noted that some are full or empty, and wet or dry.

Mr. Turner asked at what level they will reduce illegal dumping based on this proposal, and Mr. Roberts said it was impossible to give an accurate answer, as they have no records of who uses what service. He said the new process will tell them which resident is not buying service. He said that they will get a handle around these problems. Mr. Roberts said the Health Commissioner has repeated complaints, adding a resident will not use another person's dumpster if they have an empty can. He said there are some issues of illegal dumping in Kent.

Mr. Amrhein called for audience comment at this time.

John Thomas, 1621 Chadwick: Mr. Thomas asked if the licensing fee going to be the same for one operator versus a competitive market. He asked what the exemptions would be, either in fact or implied. He said that there will be job losses, adding that occurs any time an industry contracts and goes to a monopolistic situation.

Mr. Roberts said in Chapter 933, the license fee is \$25 per truck. Mr. Vincent said it is \$30 for the first truck, and \$15 for subsequent trucks. Mr. Roberts said it is based on administrative costs, and there is no cost if there is no licensing.

Mr. Thomas asked if that was the current cost, and Mr. Roberts said that was correct. Mr. Thomas asked if it was unchanged in a monopolistic market, and Mr. Roberts said that was correct. Mr. Thomas commented that information was interesting. He asked if they are distinguishing the license cost from administrative cost, and Mr. Roberts said the cost of administration is that amount.

Mr. Thomas asked if the license for a truck to operate a residential pickup will remain unchanged, when they go from an open market to a monopoly, and Mr. Silver said that was correct.

Mr. Thomas said he is an odd ball, and does not need to put out a bag weekly. He asked what his cost will be to him, as most have a monthly budget, and Mr. Silver said it is \$1.85 per bag if he chooses to do the bag option. Mr. Thomas asked if he puts out two per month if it would cost \$3.70, and Mr. Silver said that was correct. Mr. Roberts said it could be less, depending on the City's cost.

Mr. Thomas said Mr. Roberts eluded to two condominium associations that would be exempted from this legislation, and asked if the Council gave the City Manager to sign, by implication or fact, and by what authority would he have to provide said exemptions. Mr. Silver said the only exemptions are for those having a home and a small business in Kent, adding they can be exempted from paying both. Mr. Thomas asked if that meant they own the business only, and are not employed, and Mr. Silver said that was correct.

Mr. Roberts said the issue Mr. Thomas spoke of was different. He said the condo associations pay monthly. He said the twinplexes were included in the legislation, and they are similar to that. He said the condo association is not different than a twinplex sitting alone. He said the condo association wanted to pay monthly, while the contract is quarterly. He said they met the intent.

Mr. Turner asked what mechanism they have regarding whether or not a person will pay or not pay, and also asked about the mechanism for enforcement. Mr. Roberts said that currently, R & R bills one quarter in advance. He said the bills are sent the last week of the previous quarter, and R & R is at risk for those first few weeks. He said if someone does not pay, they have to deal with them. Mr. Roberts said that once they do the billing because of the new computer in Utility Billing, they will take on that risk, and pass on the decrease as R & R will no longer bill it, reducing the bill. He said they would also bill monthly, instead of quarterly. He said R & R is currently at risk for the loss, and the City is not on the hook for anything.

Mr. Turner asked if that would be a civil penalty, and Mr. Silver said it would be a civil remedy. He said the City has some leverage to go after people who do not have trash service, and said it would not be a criminal offense.

Mr. Wilson asked how they prove it if someone says they do not have trash, and Mr. Silver said that anything is possible.

MOTION TO AUTHORIZE THE TRASH PROGRAM.

Motion made by Mr. Hawksley, seconded by Ms. Shaffer.

Mr. Hawksley said he is amazed at the amount of work done by their staff, especially Mr. Roberts. He said the

benefits far outweigh the inconveniences. Mr. Hawksley said that Mr. Roberts has done a remarkable job making it fair and complete. He said a three-year contract is a great idea, and they can revisit it in three years.

Ms. Shaffer said she has been very impressed with the process, adding the residents have been able to ask questions. She said she is impressed with the research and willingness of Mr. Roberts and R&R Sanitation. She said that since the process began, a lot of people who were hesitant have changed their minds. She said she has only heard positive comments in the last few months. Ms. Shaffer said this will contribute to the aesthetics and the air quality. She said she would support the program.

Mr. Wilson said he will not support the program. He said the staff did an excellent job coming up with what was asked. He said he does not support monopolies, adding that fair market is the best way to go. He said he has spoken to more people about this than the McDonald's Drive Thru, adding that none who have called have said they changed their mind. He said they are residents in his ward that are against it, and he cannot support the program for those reasons.

Mr. Turner said he had to wrestle with this one. He said he comes from Mr. Wilson's ward, and has gotten the same type of input. He said most of it is because of the reason of choice. Mr. Turner said staff has done a good job putting together the proposal, and there are trade offs at the end of the day. He said he will support the proposal, as the great good will be advanced for the community based on their ability to reduce the issue of illegal dumping and to improve the issue of the quality of life. He said he did not know what that reduction will mean at the end of the day, adding Mr. Roberts suggested it would be about one-third, so that has to be meaningful.

Mr. Turner said he comes from the south end of town, where there is significant blight because of the inability to remove receptacles from the front of buildings as well as the lack of participation. He said this will benefit the community, and he hoped the residents will understand they are doing things that support their community in a more positive way.

The motion carried by a voice vote of 5-1, with Mr. Wilson dissenting.

Hearing no further business before this Committee, Vice Chair Amrhein adjourned this meeting at 7:41 p.m.

Linda M. Copley, Clerk of Council

ACTION RECOMMENDED:

- 1) TO AUTHORIZE THE CITYWIDE SINGLE-TRASH HAULER PROGRAM.