

**JACKSON CITY COUNCIL
REGULAR SESSION
February 13, 2006**

Jackson City Council met in regular session Monday evening, February 13, 2006, in Council Chambers. Meeting was opened by President Humphreys. The Pledge of Allegiance was given followed by prayer led by Councilman Reed. Roll call indicated that all Council members were present.

Minutes were corrected. Motion to accept minutes with corrections was made by Mr. Stewart, seconded by Mrs. Colby, and motion passed with a voice vote.

Visitors included the following:

Mrs. Judy ^{Detty}~~Dunt~~ presented Council with a certificate with the motto of the State of Ohio. She indicated that in the 1970's, she had an art farm and nature area at her home and several children from the Jackson area had attended. She has since retired and is pulling strings together. She wants to build a peace and friendship center in Beaver, Ohio. The Attorney General gave her permission to use the State of Ohio's motto. Because it is a state motto, organizations, institutions, and other groups are encouraged to use it. She suggested that Council form a resolution to accept the State's motto as Council's motto.

Mr. Humphreys thanked Mrs. ^{Detty}~~Dunt~~ for coming.

Representatives from ParMar who have leased the McCarty Mini Mart and are operating a convenience store at that location were present to ask Council to continue the endorsement for that area in economic development so that the liquor license can be transferred from McCarty Mini Mart to ParMar. He stated that the company had added employees to help the City.

Mr. Detty asked the date that the site had been declared in economic development.

Mr. Heath asked if this were a transfer. His response was in the affirmative, that it was transferring the same license.

Mr. Detty stated that ParMar is taking the license that was there exactly as it was and suggested Council needs to continue the endorsement.

Mr. Humphreys stated that the company was asking for our blessing.

Mr. Heath asked what the difference is between this license and someone buying a business and just transferring it.

Mr. Humphreys replied that they are buying the other license.

Mr. Stewart stated that the letter says that it was recommended as an economic development project.

Mr. Detty replied that this opens it up to allow licenses in certain situations. Back in 1999, Council agreed to it.

Mr. Stewart replied that as an economic area, a motel was built there.

Mr. Detty stated that he didn't recall that. These people are not doing anything different; they are simply confirming what was done six years ago.

Mr. E. Brown stated that in the past, Council persons received the language.

Mr. Heath asked if there were any difference. Are we just talking verbiage here?

The company representative indicated that that was what he understood. If there are no objections, we simply transfer the license.

Mr. Reed stated that in the past, we weren't endorsing it, we have no objections.

Mr. Heath stated that Council was taking a neutral stand.

Mr. Detty stated that Council doesn't object to the continuation of the license as it is.

Mr. Humphreys asked if there were a certain time that the company had to have this.

The representative replied as soon as Council can. We have a permit to operate now.

Mr. Humphreys asked for a motion to have the law director to draft a letter.

Mr. Heath moved to have Mr. Detty draft the letter that we have no objection to continuing the license, seconded by Mr. Stewart. In a voice vote, the motion passed.

Donovan Workman, Jackson City Recreation Director, was present to give a report of what has been going on since he took over the position. All recreation programs were explained with a slide presentation. Mr. Workman also indicated that a new recreation board was being formed. He had scheduled a meeting for 2/16/06.

Mr. Heath complimented Mr. Workman on the new programs that were serving more kids and adults and thinks that we have put more money into recreation than ever

before. The projects should benefit the kids in our school district – those are the ones we serve and who pay the taxes. He also suggested that passes be created for our kids and our seniors.

Mr. Workman stated that many businesses will be upset because families come in and if kids can't swim at the pool, donations will drop. We need to look at revitalization grants to help with maintenance costs of the pool.

Mr. Heath stated that we have to make sure that we have enough money to cover everybody.

Mr. E. Brown praised the efforts of Mr. Workman and the job he has done. We have come a long way in a short period of time. He offered more praise for Mr. Workman and the fine job he is doing.

Mr. Workman indicated that he had gone to the Middle School and talked to every kid about the programs available.

Mr. Humphreys stated that volleyball is something new this year.

Mr. Workman affirmed his statement.

Mr. Humphreys stated that that was a good thing. The basketball program is the best in town and he complimented Mr. Workman for his efforts in that.

Mr. Workman had praise for his assistants, stating they are excellent and are doing a great job.

Mr. Humphreys thanked him for coming.

Also present were representatives from AMP-OHIO, Chris Deeter and Rob Crossen. They thanked the City for their continued membership. They came to talk about the issue of the cost of service study. The other item of interest was the voting on one year power supply agreement. If it can be passed this meeting, it can save in the six figure range on fees. It is significant money in any community.

The Cost of Service Study was completed in November. Mr. Heath asked them to cover the most important aspects of the study. They do not see an increase in rates. They recommend that a change be made in the fuel adjustment clause. The base level is established and anything above that is what the adjustment clause takes care of.

Mr. Heath inquired if this were beyond our control.

Mr. Deeter replied that they are trying to lower the cost all the time. The purchased power on the open market can fluctuate often. The fuel adjustment clause provides protection to the electric department to support distribution that is in place.

Mr. Heath asked then if we go above peak usage, it is calculated in the fuel adjustment clause.

Mr. Crossin stated let's cut to the chase. Table 1, page A is the proposal for no overall revenue increase to the City. This is not necessary. We are looking at power cost adjustment.

Mr. Deeter stated that they had worked with the Auditor's office to get these numbers.

Mr. Crossin stated that the cost of power divided by the number of kilowatt hours purchased equals the overall rate. From that subtract 3.6228 cents. This represents the average cost of power when the ordinance is put into place. It is adjusted by 15% which is supposed to reflect service and line costs. Two changes: change the constant to reflect the current cost of power (\$.04) which you see in Table 7, Page G. We propose to raise base rates. (Table 6, page E) This is not a revenue increase; it is a base rate increase.

Mr. Deeter offered that in Table 4, page D shows the current and proposed revenue. We're trying to keep PCA constant with current going rate of power.

Mr. Heath stated so . . . the base of what we're charging is going to increase.

Mr. Humphreys asked what period of time, from when to when.

Mr. Crossin stated that they had used the year 2004.

Mr. Humphreys asked to what year.

Mr. Crossin replied that it was calculated until 2010. He suggested that it was a good idea to keep the PCA closer to 0. It is used to calculate the difference in the cost of power.

Mr. Deeter said that it was adjusting the base from which they are calculating the fuel costs.

Mr. Humphreys asked if it will increase each year.

Both men answer no. It can go on indefinitely. We are adjusting how to charge the fuel adjustment clause.

Mr. Stewart stated and the end result is what. How does that affect the monthly rate?

Mr. Deeter replied that it was the same.

Mr. Stewart emphasized no change?

Mr. Deeter replied that if it were like 2004, the City is even. We're not making fuel adjustment clauses bigger. One other change is the factor that is used (the 15% unbilled service and line loss), we are proposing to change to 12.55%. This will serve to lower the PCA a little. It is more reflective of unbilled/line loss. It is not out of line with what we see. Sales have gone up a great deal. It is a dramatic percentage of increase.

Mr. Heath stated that the report projects a 50% increase in the next four years. Can our system handle that big of an increase.

Mr. Humphreys stated that the upgrades we are making are supposed to cover that. We're doing things to generate power.

Mr. Crossin stated that it is designed to be revenue neutral based on 2004 data.

Mr. Reed stated that this was giving Council a true base rate.

Mr. Crossin stated that that was exactly right.

Mr. Reed stated that it was not increasing or decreasing. We can't control the cost. We're setting the rate to this year's rate.

Mr. Heath indicated that when people get the electric bills, it will be higher if there is no fuel adjustment clause.

Both representatives stated correct.

Mr. Humphreys thanked both men for coming.

COMMITTEE REPORTS:

UTILITY: Mrs. Colby stated that a planning meeting with the people at the Utility Office had been scheduled.

BUDGET/FINANCE: Mr. Reed stated that ordinances were budgeted items -- 21, 24, 27, 28, 29. Ordinances 25 and 26 are repaying where we borrowed money to pay the CDBG.

POLICE/FIRE/TRAFFIC: Mr. E. Brown stated he was calling a meeting for Monday, February 20, 2006, at 6:00 p.m. to discuss wages and policy for the Chief and Assistant Chief and wages for the Fire Department.

SERVICE: Mr. C. Brown had no report.

CITY AUDITOR: Absent.

LAW DIRECTOR: Ordinances 17-06, 18-06 are for fire protection contracts. Both expire at the end of this month. Each of these is for five years and has built in 3% raise in rates for each year. 19-06 provides additional jail space as needed. This needs to be in place. 20-06 provides indigent counsel. This is the same contract amount as was for last half of last year. It say we pay within ten days of receipt of the invoice. Council can pass this with the provision that the invoice can be paid as submitted. Penalties are to be assessed. The contract calls for 10% penalty. If the bill is not paid, the contract is void. There are many questions on this. Mr. Detty advises that Council never pay a 10% penalty.

Mr. Stewart stated that at some point, we started putting a 10% penalty on utility bills that weren't being paid, so they agreed no to charge . . .

Mr. Detty replied that it can't be done that way. These are two totally different things. We can't change the contract or its terms. 21-29 have no emergency clause because it is not needed. 30-06 is for a new time keeping system for the auditor. We need to understand what we are contracting for. 31-06 has some question as to whether it is a legislative or administrative function. 32-06 may be one Council might want to talk about in executive session.

Mr. Detty also indicated that he had received information on outstanding credit card debts no paid by the City.

There is a question also about what are rates for prevailing wages.

Something of interest, Ohio enacted SB82 which bans municipal authorities for setting limits on residential rules. There is much opposition to this. It is being tested by the City of Cleveland.

Mr. Heath interjected that it applies to all employees. The can live in adjoining counties.

Mr. Detty stated that another thing to consider is that the State issue Tax Expenditure log. In order to pass a tax levy, it requires majority of all electors, not just those voting. He recently found articles concerning Council, etc. Each year, Council is supposed to adopt Council rules.

The meeting held on the Evans Car Lot – a lawsuit has been filed. Hopefully the car lot will be moved.

Recently in Municipal Court, we have three maybe four cases pending concerning the theft of utilities. We will be pursuing those vigorously.

Two ordinances are those that have a master agreement with AMP-OHIO which goes out to 2012.

Mr. Heath stated that the emergency clause only deals with when the ordinance goes into effect. Mr. Detty replied in the affirmative.

RAILROAD: Mr. Stewart had no report.

LEGAL: Mr. Heath stated that Council might want to consider that the attorneys will be here February 27th at 5:30 p.m. Council might want to be sure to get all our answers.

BUILDING: Mr. Hughes had no report.

MAYOR: Absent due to illness. Report enclosed.

CHIEF OF STAFF: No report. Absent.

SERVICE DIRECTOR/ENGINEER: Absent. No report.

SAFETY DIRECTOR: No report. Absent.

POLICE CHIEF: Absent. No report.

ORDINANCES AND RESOLUTIONS:

Ordinance No. 10-06 Second Reading

An ordinance approving additional appropriations in the Water Fund, and declaring an emergency.

There was some discussion on this ordinance. Mr. Heath asked if we were waiting for criteria on this. Mr. Reed stated we had asked for information but do not have any.

Mr. Humphreys stated that Mayor Goodman said that he was going to look into this, but there are many questions to be answered. The Mayor is not here to answer them.

With no further discussion, the ordinance was given a second reading.

Ordinance No. 11-06 Second Reading
An ordinance approving additional appropriations in the Electric Fund, and
declaring an emergency.

Mr. Stewart asked if this were for sending people to school.

Mr. Reed indicated that it had been cut back but is now needed for more training, etc.

Mr. Humphreys indicated that meals and stuff are spelled out in the contract.

Mr. E. Brown said that they originally thought it was just for mileage. No they realize that it can be used for training. He wanted to know why they were asking for a change.

With no further discussion, the ordinance was given a second reading.

Ordinance No. 12-06 Second Reading
An ordinance authorizing the City to enter into an agreement between the City of
Jackson, Ohio, and Ballestra, Harr, and Scherer, CPAs, Inc., for the City's audit for
the period beginning December 31, 2005, and declaring an emergency.

Mr. Humphreys stated that there were some questions about the 2004 audit. They only gave a partial report.

Mr. Heath stated that it was a small summary.

Mr. Humphreys suggested that this be given a second reading.

Ordinance No. 15-06 Second Reading
An ordinance to authorize the Director of Public Service and the City Engineer to
execute a new master services agreement with American Municipal Power – Ohio,
Inc. (AMP-OHIO) in order to purchase electric power and associated energy and
other services available from AMP-OHIO and its affiliated entities.

In discussion, Mr. Heath wanted to know why the Mayor isn't authorized to execute these agreements.

Mr. Detty stated that this was exactly as the draft was sent out by AMP-OHIO. It makes no difference as long as we have the authority.

Mr. Stewart stated that the next sentence says the Mayor is to enter into the agreement.

Mr. Humphreys pointed out that the Director of Public Service and the City Engineer could be considered two people.

Mr. Heath suggested that it be changed.

Mr. Detty said that the answer to Mr. Humphrey's question was that the Service Director and the Engineer are the same person.

Mr. Humphreys stated that it doesn't have to be changed if the law director is comfortable with it.

Mr. Detty replied that it is saying that each position signs the contract. He said that it should stay as it is.

Mrs. Colby said that the law says that the Service Director has authority to make contracts but the Engineer does not.

With no further discussion, Mr. Stewart moved to suspend the rules, seconded by Mr. Heath, and the results of the roll call vote were as follows:

Mrs. Colby – no	Mr. C. Brown – no
Mr. Hughes – no	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – no	

The results of the vote indicated that it failed and the ordinance was given a second reading.

Ordinance No. 16-06

An ordinance to authorize the Mayor to execute one or ore long term power purchase schedules with American Municipal Power – Ohio, Inc. in order to purchase fro AMP-OHIO Power and associated energy available to AMP-OHIO from one or more long term power supply transactions to begin delivery on or after January 1, 2006, and ending no later than December 31, 2012, with one or more reputable third party power suppliers, and declaring an emergency.

Mr. Heath stated that this is the ordinance if put into effect would save the City money. The price could elevate prior to the next meeting. The representatives from the company replied affirmatively.

Mr. Reed moved to suspend the rules, Mr. Heath seconded the motion, and the results of the roll call vote were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes

Mr. Reed – yes

In a roll call vote to adopt the ordinance, the results of the vote were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

Ordinance No. 16-06 was duly adopted.

Ordinance No. 17-06

An ordinance authorizing the City of Jackson, Ohio, to enter into an agreement with the Board of Trustees of Franklin Township, Jackson County, Ohio, for fire protection, and declaring an emergency.

Mr. Reed stated to Mr. E. Brown that he would like to see this ordinance put into effect.

Mr. Heath replied that we don't want to lapse the coverage.

Mr. E. Brown moved to suspend the rules, Mr. Reed seconded the motion, and the results of the roll call vote to suspend the rules were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call to adopt this ordinance, the results were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

Ordinance No. 17-06 was duly adopted.

Ordinance No. 19-06

An ordinance authorizing the City to enter into an agreement between MH correction Commission (Multi-County Correctional Center) and the City of Jackson, Ohio, for the housing of prisoners.

Mr. Heath stated that this opens the door to transfer to these facilities if needed.

Mr. Reed stated that yes, this gives us one more option and it is the closest.

Mr. E. Brown moved to suspend the rules, Mr. Heath seconded. The results of the roll call vote to suspend were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

Ordinance No. 19-06 was duly adopted.

Ordinance No. 20-06

An ordinance authorizing the City to enter into an agreement between the City of Jackson, Ohio, and the Board of Commissioners of Jackson County, Ohio, for the provision of a public defender for indigents, and declaring an emergency.

Mr. Heath asked if this is something that needs to be passed.

Mr. Detty indicated that they cannot charge us a penalty. The bill is already past due. So, are we signing an agreement that is already cancelled. I'd like to see them redate the invoice.

Mr. E. Brown asked what will happen if they reinvoice. Does that mean the contract won't be effective till February 30th? I'd like to pay the money and hope they accept it.

Mr. Detty stated that this actually helps us.

Mr. Reed said that if they want to make a new invoice, ok.

Mr. Detty said that as far as he was concerned, it is in effect.

Mr. Reed moved to suspend the rules, Mr. Heath seconded the motion. A roll call vote was taken and the results were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
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Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call vote to adopt, the results of the roll call vote were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

Ordinance No. 120-06 was duly adopted.

Ordinance No. 21-06
An ordinance transferring appropriations.
(Electric Fund to Electric Improvement Fund)

Mr. Heath moved to adopt the ordinance, Mr. Reed seconded, and the motion carried in a voice vote.

Mr. Heath asked if the bills can be covered.

Mr. Humphreys talked with Wendy and there is no need to pass this on an emergency.

Mr. Reed indicated that this appropriates money from the income.

Mr. Stewart stated that we can still suspend the rules, even though it is not an emergency, it takes effect in 30 days. Let's clear out some of these things.

Mr. Stewart moved to suspend the rules, Mr. E. Brown seconded. The results of the roll call vote were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

Ordinance No. 21-06 was duly adopted.

Ordinance No. 22-06
An ordinance transferring appropriations.
(Garbage Fund to Garbage Improvement Fund)

Mr. Reed moved to adopt, seconded by Mr. E. Brown, motion passed on a voice vote.

Mr. Stewart moved to suspend the rules, Mrs. Colby seconded, and the roll call vote results were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

The roll call vote results to adopt were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

Ordinance No. 22-06 was duly adopted.

Ordinance No. 23-06
An ordinance transferring appropriations.
(Sewer Fund to Sewer Equipment Replacement Fund)

Mr. Stewart moved to adopt, Mr. E. Brown seconded, and motion passed with a voice vote.

With no discussion, Mr. E. Brown moved to suspend the rules, seconded by Mr. Hughes, and the results of the roll call vote were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
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Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

Ordinance No. 23-06 was duly adopted.

Ordinance No. 24-06

**An ordinance transferring appropriations.
(Water Fund to Water Improvement Fund)**

Mr. E. Brown moved to adopt, Mr. Hughes seconded, and motion passed with a voice vote.

With no discussion, Mr. Stewart moved to suspend the rules, Mr. E. Brown seconded, and a roll call vote was taken with the following results:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

Ordinance No. 24-06 was duly adopted.

Ordinance No. 25-06

**An ordinance approving additional appropriations
in the CDBG Revolving Loan Fund.**

Mr. E. Brown moved to adopt, Mr. Heath seconded, and the motion passed with a voice vote.

With no discussion, Mr. Stewart moved to suspend the rules, seconded by Mr. E. Brown, and a roll call vote was taken with the following results:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

Ordinance No. 25-06 was duly adopted.

Ordinance No. 26-06
An ordinance transferring appropriations.
(CDBG Revolving Fund to the General Fund)

Mr. E. Brown moved to adopt, Mr. Heath seconded, and motion carried with a voice vote.

With no discussion, Mr. Stewart moved to suspend the rules, Mr. E. Brown seconded, and the results of the roll call vote were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

Ordinance No. 26-06 was duly adopted.

Ordinance No. 27-06 First Reading
An ordinance transferring appropriations.
(General Fund to Police Task Force Fund)

Mr. Stewart moved to adopt, Mr. E. Brown seconded, and motion carried with a voice vote.

In discussion, Mr. Heath asked if this was to cover the officer's salaries.

Mr. Reed replied yes.

Mr. Humphreys stated that here is \$151,000 that we're subsidizing the County. No other entity puts into this task force. Now we're facing \$100,000 to pay on jail space. And a \$10,000 penalty. So how much do we subsidize the County. It would be nice if we could afford it. We could utilize our officers back in the City.

Mr. Reed stated that all this does is show what we're spending in the County. It shows the costs of the Drug Task Force.

Mr. Humphreys replied that it went up \$23,000 in one year.

Mr. Heath stated that he questioned if the residents of the City of Jackson get that amount of benefits from this last year.

Mr. Stewart moved to suspend the rules, Mr. Reed seconded the motion. A roll call vote was taken with the following results:

Mrs. Colby – no	Mr. C. Brown – yes
Mr. Hughes – no	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – no
Mr. Reed – yes	

Motion to suspend rules failed.

Ordinance No. 27-06 was given a first reading.

Ordinance NO. 28-06
An ordinance transferring appropriations.
(General Fund to Street C.M.& R. Fund)

Mr. Heath moved to adopt, Mr. Stewart seconded, and motion carried with a voice vote.

With no discussion, Mr. Stewart moved to suspend the rules, seconded by Mr. Heath, and the results of the roll call vote were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

Ordinance No. 28-06 was duly adopted.

Ordinance No. 29-06
An ordinance transferring appropriations.
(General Fund to Cemetery Fund)

Mr. Stewart moved to adopt, Mr. E. Brown seconded the motion, and with a voice vote, the motion passed.

With no discussion, Mr. Reed moved to suspend the rules, seconded by Mr. Heath, and the results of the roll call vote were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

Ordinance No. 29-06 was duly adopted.

Ordinance No. 30-06 First Reading
An ordinance authorizing the City to enter into an agreement between
Kronos Incorporated, 297 Billerica Road, Shelmsford, MA 01824,
and the City of Jackson, Ohio, for a new timekeeping system
for the City, and declaring an emergency.

Mr. Reed moved to adopt, Mr. Stewart seconded the motion, and with a voice vote, the motion carried.

Mr. Heath asked if we knew what was wrong with the old time system.

Mr. Reed replied that it does need more stuff. This is a better deal for the City to lease the system for three years.

Mr. Heath said it was basically \$20,000 a year.

Mr. Reed stated that it made more sense to lease. It is in the budget to do this.

With no further discussion, the ordinance was given a first reading.

Ordinance No. 31-06 First Reading
An ordinance concerning City Officials and
City Employees use of City owned vehicles.

Mr. Heath moved to adopt, seconded by Mr. Stewart, and with a voice vote, the motion passed.

In discussion, Mr. Reed stated he wanted to go back to the Law Director.

Mr. Detty stated that he wanted to research the issue and report back at the next meeting.

Mrs. Colby asked what he wanted to research.

Mr. Detty said he wanted to distinguish between administrative and legislative action. It needs to be researched.

Mr. Heath stated we need to go back to the policies and procedures manuals, and the way those are affected by Council, by ordinances.

With no further discussion, the ordinance was given a first reading.

Ordinance NO. 32-06
An ordinance authorizing the City to enter into an agreement between Multicom,
Inc., P.O. Box 887, Jackson, Ohio 45640, and the City of Jackson, Ohio, for
consulting services related to CDBG and Home Funded activities in the City and
declaring an emergency.

Mr. Heath moved to adopt, Mr. E. Brown seconded, and with a voice vote, the motion carried.

Mr. Detty stated that the contract amount should be changed.

Mr. Humphreys indicated that the rules say it has to state what the reason for the emergency is.

Mr. Detty stated he had a concern with the agreement. Resolution 04-06 authorizes the City to apply with CHIP Grant. We must have consulting contract in

place. He suggested that a phrase be added: “only if the City receives the CHIP Grant.” This is contingent on getting this grant.

Mr. Humphreys stated that the Mayor or Service Director said we cannot take money to pay for the application fee.

Mr. E. Brown stated that he believed it was on the flood water issue.

Mr. Heath stated that every grant has different regulations.

Mr. Stewart wanted to know if at the present time, is MultiCom the current one working on CDBG. Is it \$100,500 to apply for the application or what.

Mrs. Stroth replied that it was necessary to write an environmental study, etc. to run a whole program.

Mrs. Colby asked if you write the grant and don't get it, do you get paid.

Mrs. Stroth said that this runs the program for the whole year.

Mr. Humphreys asked if they were seeking the maximum grant amount.

The Stroths replied yes. The maximum amount is \$500,000.

Mr. Heath asked what kind of timetable they were working with.

Mrs. Stroth replied that the application must be in by April 7th and puts us in a predicament.

Mr. Humphreys stated that we received no funds last year. Why did we wait so long to do this?

Mr. Stroth replied that the administration wanted to do it differently which pushed the dates to this point.

Mr. C. Brown moved to suspend the rules, seconded by Mr. Heath, and the results of the roll call vote were as follows:

Mrs. Colby – no	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

In the roll call to adopt, the results were as follows:

Mrs. Colby – no	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes

Mr. Reed – yes

Ordinance No. 32-06 was duly adopted.

Ordinance No. 33-06
An ordinance

Mr. Stewart moved to adopt, Mr. Heath seconded the motion, and the motion passed with a voice vote.

With no discussion, Mr. Stewart moved to suspend the rules, Mr. Heath seconded the motion, and the results of the roll call vote were as follows:

Mrs. Colby – yes	Mr. C. Brown – yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes	Mr. C. Brown - yes
Mr. Hughes – yes	Mr. Stewart – yes
Mr. E. Brown – yes	Mr. Heath – yes
Mr. Reed – yes	

Ordinance No. 33-06 was duly adopted.

RESOLUTIONS:

Resolution No. 04-06

A resolution authorizing the Mayor of the City of Jackson to submit an application for the Community Housing Improvement Program (CHIP), and execute any and all documents concerning the CHIP, and declaring an emergency.

Mr. Heath moved to adopt, Mr. Reed seconded the motion, and motion carried with a voice vote.

Mr. Reed moved to suspend the rules, Mr. Heath seconded, and a roll call vote was taken with the following results.

Mrs. Colby – yes

Mr. C. Brown - yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

In the roll call vote to adopt, the results were as follows:

Mrs. Colby – yes

Mr. C. Brown – yes

Mr. Hughes – yes

Mr. Stewart – yes

Mr. E. Brown – yes

Mr. Heath – yes

Mr. Reed – yes

Resolution No. 04-06 was duly adopted.

OLD BUSINESS: Minutes were amended to give the correct date of the last meeting – January 23, 2006. Mr. Heath moved to correct, Mr. Reed seconded, motion carried by voice vote.

NEW BUSINESS:

Mr. Humphreys stated that Council Rules say that each year, Council must adopt rules. We need a motion to adopt present rules for 2006 and if Council wants to change them, we can do so. We also need a motion, the second meeting January the rules can be discussed, adopted, and be in effect by the first meeting in February.

Mr. Reed moved to adopt the current rules for 2006. Motion was seconded and carried.

Mr. Humphreys stated that we had hired attorneys in Columbus to work for us. However, we go around our law director and legal committee. We should at least ask his opinion first. We are paying the lawyers in Columbus big bucks. He wanted Council members to think about this.

Mr. Heath stated that he agreed with what he said.

Mr. Humphreys stated that getting into emergency ordinances, he suggested that Mr. Detty make a copy of some things. He suggested we should take care of some things such as an emergency ordinance. It reads that if an ordinance is brought to Council and that particular night, it fails to reach the number of votes needed, it fails if its emergency clause isn't there. It must spell out what the emergency is.

Mr. Detty replied that in the emergency clause, he tries to put further reasons when he is told what is happening. If it is not an emergency, it is subject to a referendum. In the event that it does not receive the required number of votes, it passes as not an emergency.

Mr. Humphreys reemphasized that the emergency clause should be used sparingly.

Mr. C. Brown pointed out that everything that came through here a few years back, everything was put through here as an emergency.

Mr. Humphreys also brought up the matter concerning Ordinance No. 96-04 which is the contract between the City and the Technical Director. The term of employment shall continue until July 5, 2006. If we do not intend to renew, he must be notified that we do not intend to renew by March.

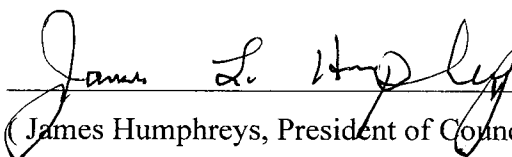
Mr. Reed stated that it renews a two year period.

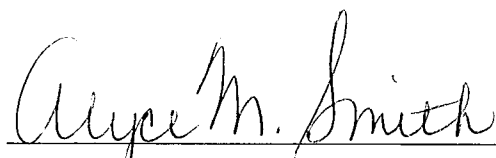
Mr. Heath stated that this is something we might want to look at and see where we want to go. Mr. Heath moved to notify Mr. Woltz that we are not renewing the current contract at this time. Mr. Hughes seconded the motion. With a voice vote, the motion passed. Mr. Detty will notify Mr. Woltz.

With no further business, Mr. Humphreys entertained a motion to adjourn made by Mr. Hughes and seconded by Mr. Heath. Motion passed and Council adjourned at 10:30 p.m.

Date 2/27/06

with corrections


 (James Humphreys, President of Council)


 (Alyce M. Smith, Clerk of Council)