

JACKSON CITY COUNCIL

Minutes from
January 22, 2007
7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, January 22, 2007, at 7:03 p.m. at the Jackson City Council Chambers. President Speakman called the meeting to order. The Pledge of Allegiance was given and followed by prayer, both led by Mr. Reed.

A roll call was taken as follows:

- Mrs. Colby – present
- Mr. Hughes – present
- Mr. Eric Brown – present
- Mr. Reed – present
- Mr. Cary Brown – present
- Mr. Stewart – present
- Mr. Heath – present

Mr. Reed made a motion to approve the minutes from December 28, 2006 special session, January 2, 2007 special meeting, January 3, 2007 special session, and January 10, 2007 regular session, seconded by Mrs. Colby. In a voice vote, all Council approved.

VISITORS

Mr. Heath made a motion to amend the agenda to add Mr. Curt Wiggins, seconded by Mr. Reed. In a voice vote all Council agreed.

Mr. Wiggins came before Council to ask for support for the annual Relay for Life to be held on August 10 and 11, 2007 with the same request as in previous years. The request is for partial closure of Tropic and Vaughn Streets, electric hookups, and three dumpsters. Mr. Reed made a motion to grant the request, seconded by Mr. Heath. In a voice vote all Council agreed.

COMMITTEE REPORTS

UTILITY

Mrs. Colby noted that the utility office supervisor stated that rates would look higher on the next utility bills, because of the 35% decrease on the December bills.

BUDGET & FINANCE

Mr. Reed noted there would be a Budget & Finance committee meeting held on Tuesday at 6:00 p.m. in Council chambers.

POLICE, FIRE & TRAFFIC – No report.

SERVICE

Mr. Eric Brown stated that a flood committee meeting was held on January 20th, with some Council members present along with the public to discuss creek cleaning and effects. This meeting was held in Mayor Goodman's office. All agreed this had made an improvement. This committee would like to recommend the purchase of a track hoe in order to maintain the work that has been completed and reduce the need for outside contractors. We would need an operator and ODOT does provide operator training. The cost of the equipment would be \$150,000 or less. Would like to see this placed in the budget. Mr. Heath ask if we monitored the creeks and streams outside the city limits. Mr. Eric Brown stated that we have control in the city limits and many problem areas. Including trash and mosquito bogs. He further noted that not all floods can be prevented, but we can reduce the number with preventive maintenance. Mr. Reed ask the size of the equipment. Mr. Cary Brown noted the most expensive model was \$150,000. Mr. Reed ask if a semi and low boy trailer would be needed to haul this equipment. Mr. Cary Brown noted that any equipment with tracks is required to be hauled on trailer. The city does have the proper equipment to haul the track hoe if purchased.

RAILROAD – No report.

LEGAL

Mr. Heath noted that Howarth & Shoemaker were present for Council to go into executive session, regarding pending litigation and such matters.

BUILDING – No report.

CITY AUDITOR

Mr. Humphreys noted that his office had been very busy gathering information for the budget. Also, there office is having a terrible time with the time clocks. May be necessary to purchase new time clocks. Mr. Woltz is reviewing the situation. Current clocks are approximately 12 years old, possible that the expense would come from each department within the city.

LAW DIRECTOR

Mr. Detty noted that in 2006, 1176 cases were presented in Municipal Court, with 627 active cases to date. Mr. Sexton had contacted the city in regards to the notice lien on the property formally known as Jackson Hardware, can we release. Mr. Heath stated we have nothing to lose or gain. Mr. Reed made a motion to remove the lien on the

Jackson Hardware property, seconded by Mr. Heath. In a voice vote, all Council agreed. Mr. Detty also reminded Council of the new public records law, stating he will meet with the legal committee.

MAYOR

Mayor Goodman stated that Council needed to approve nominees for the CIB Board, his suggestion is as follows: Mr. Davis, Mr. Humphreys, and Mr. Benson. Mr. Heath made a motion to allow Mr. Davis, Mr. Humphreys, and Mr. Benson to act as representatives for the city on the CIB Board, seconded by Mr. Reed. In a voice vote, all Council agreed.

Mayor Goodman read the State of the City Address, see attached.

SERVICE DIRECTOR/CITY ENGINEER – No report.

CHIEF OF STAFF – See attached.

SAFETY DIRECTOR – See attached.

POLICE CHIEF - Absent

Mr. Heath made a motion to a motion to go into executive session to discuss pending litigation and related matters, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

Council moved into executive session at 7:42 p.m.

Mr. Heath made a motion to return to regular session, seconded by Mr. Reed. In a voice vote all Council agreed.

Council returned to regular session at 9:08 p.m.

ORDINANCES & RESOLUTIONS

ORDINANCE NO. 02-07

AN ORDINANCE ESTABLISHING PERSONAL LEAVE/TIME OFF FOR THE
POLICE CHIEF AND ASSISTANT POLICE CHIEF.

Second Reading

ORDINANCE NO. 05-07

AN ORDINANCE ESTABLISHING THE DAYCARE PROJECT FUND, AND
SETTING AND APPROVING APPROPRIATIONS IN THE DAYCARE PROJECT
FUND, AND DECLARING AN EMERGENCY.

First Reading

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

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 05-07 DULY ADOPTED

ORDINANCE NO. 06-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE
CEMETARY FUND, AND DECLARING AN EMERGENCY.

First Reading

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

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 06-07 DULY ADOPTED

ORDINANCE NO. 07-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE
ELECTRIC FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Stewart made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

Mr. Heath asked the reason for additional appropriations. Mr. Benson stated the this was to finish the construction project for the Veterans Drive substation, along with the next three ordinances, these would be moving funds to cover overages. Possible 10% more in overages after these ordinances are approved. Mrs. Colby would like to know where the \$3.5 million appropriated had been spent, since construction had yet to begin. Mr. Benson stated that construction is the last phase. At least \$200,000 was used on other projects. Mr. Stewart ask if the foundation was an issue. Mr. Benson stated the pilings were not necessarily the reason for the increased cost. Mrs. Colby stated we had

overruns before we secured the bid. Mr. Benson stated the cost escalation is beyond what we thought. Mr. Eric Brown stated that some of the \$200,000 was spent on the Lick substation upgrades, noting that this new substation will run the entire city. Mr. Heath ask how much more can we expect. Mr. Benson stated at least 10%, maybe 15%. Further stating all bids are complete. Mr. Humphreys noted that approximately \$2.5 million has been spent to date. Mr. Benson stated the expected completion date was July 2007.

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

Mrs. Colby – no
Mr. Hughes – no
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 08-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

ORDINANCE NO. 09-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE ELECTRIC CONSTRUCTION FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

ORDINANCE NO. 10-07

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDED THE CONTRACT FOR THE VETERANS DRIVE SUBSTATION PROJECT, TO GAYLOR, INC., AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

ORDINANCE NO. 11-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WATER UTILITY OFFICE FUND, AND DECLARING AN EMERGENCY.

First Reading

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

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 11-07 DULY ADOPTED

ORDINANCE NO. 12-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Reed made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

Mr. Eric Brown asked if these would be broken out in the 2007 budget. Mr. Reed stated yes.

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 12-07 DULY ADOPTED

ORDINANCE 13-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS, AND DECLARING AN EMERGENCY.

First Reading

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

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 13-07 DULY ADOPTED

ORDINANCE NO. 14-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE
GARBAGE FUND AND THE WATER FUND, AND DECLARING AN
EMERGENCY.

Fist Reading

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

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes

Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 14-07 DULY ADOPTED

RESOLUTION NO. 04-07

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, OR HIS DESIGNATED REPRESENTATIVE, TO FILE AN APPLICATION, AND EXECUTE ANY AND ALL AGREEMENTS OR DOCUMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORTATION ENHANCEMENT FUNDING, AND DECLARING AN EMERGENCY.

Second Reading

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

RESOLUTION NO. 04-07 DULY ADOPTED

RESOLUTION NO. 07-07

A RESOLUTION AUTHORIZING A THEN AND NOW CERTIFICATE, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the resolution, seconded by Mr. Stewart. In a voice vote, all Council agreed.

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

RESOLUTION NO. 07-07 DULY ADOPTED

RESOLUTION NO. 08-07

A RESOLUTION AUTHORIZING A THEN AND NOW CERTIFICATE, AND
DECLARING AN EMERGENCY.

First Reading

Mr. Stewart made a motion to adopt the resolution, seconded by Mr. Heath. In a voice vote, all Council agreed.

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

Mrs. Colby – yes
Mr. Hughes – yes

Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

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

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

RESOLUTION NO. 08-07 DULY ADOPTED

CORRESPONDENCE

President Speakman stated that Council had received an invoice for \$211.20 for the 2007 maintenance agreement on the copier in Council chambers. Mr. Stewart made a motion to pay this invoice, seconded by Mr. Cary Brown. In a voice vote, all Council agreed.

OLD BUSINESS

Mr. Humphreys reported that receipts from the municipal court fines paid totaled \$102,932.05 for 2006.

NEW BUSINESS

Mr. Eric Brown scheduled a zoning committee meeting for Thursday at 7:00 p.m. in Council chambers to discuss rezoning at the former Shake Shoppe restaurant.

ADJOURN

Mr. Heath made a motion to adjourn, seconded by Mr. Eric Brown. Council adjourned at 9:52 p.m.